

the entire Government reservation known as Fort McClary, in said Kittery; to the Committee on Military Affairs.

By Mr. BENHAM: A bill (H. R. 13240) granting an increase of pension to William H. Thompson; to the Committee on Pensions.

By Mr. BULWINKLE: A bill (H. R. 13241) granting a pension to Banner Chandley; to the Committee on Pensions.

By Mr. CHALMERS: A bill (H. R. 13242) granting an increase of pension to Clarissa Nehiser; to the Committee on Pensions.

By Mr. COUGHLIN: A bill (H. R. 13243) for the relief of Nancy Engle; to the Committee on Military Affairs.

By Mr. DALLINGER: A bill (H. R. 13244) granting a pension to Carrie A. Cunningham; to the Committee on Invalid Pensions.

By Mr. DARROW: A bill (H. R. 13245) for the relief of the legal representatives of Donnelly and Egan, deceased; to the Committee on War Claims.

By Mr. DUPRE: A bill (H. R. 13246) for the examination and survey of the intracoastal canal from the Mississippi River at or near New Orleans, La., to Corpus Christi, Tex.; to the Committee on Rivers and Harbors.

By Mr. HUDSPETH: A bill (H. R. 13247) for the relief of the Awbrey Coal & Coke Co.; to the Committee on Claims.

By Mr. KIESS: A bill (H. R. 13248) granting an increase of pension to Mary Marley; to the Committee on Invalid Pensions.

By Mr. KREIDER: A bill (H. R. 13249) granting an increase of pension to Sophia Bowman; to the Committee on Invalid Pensions.

By Mr. LAYTON: A bill (H. R. 13250) for the relief of Helene M. Layton; to the Committee on Claims.

By Mr. LINTHICUM: A bill (H. R. 13251) for the relief of Mary A. Cox; to the Committee on Claims.

By Mr. MOTT: A bill (H. R. 13252) granting a pension to Anna A. Randall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13253) granting a pension to Allie W. Seeber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13254) granting a pension to Edith M. Ball; to the Committee on Invalid Pensions.

By Mr. PETERSEN: A bill (H. R. 13255) for the relief of Charles J. Eisenhower; to the Committee on Claims.

By Mr. PURNELL: A bill (H. R. 13256) granting an increase of pension to Harry Elkins; to the Committee on Pensions.

By Mr. REECE: A bill (H. R. 13257) granting a pension to Ray Dugger; to the Committee on Pensions.

By Mr. RAMSEYER: A bill (H. R. 13258) granting an increase of pension to George W. Searcy; to the Committee on Pensions.

Also, a bill (H. R. 13259) for the relief of J. E. Benton; to the Committee on Claims.

By Mr. SNELL: A bill (H. R. 13260) granting an increase of pension to Emma Page; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 13261) granting a pension to Robert McAfee; to the Committee on Pensions.

Also, a bill (H. R. 13262) granting a pension to Carl D. Waters; to the Committee on Pensions.

Also, a bill (H. R. 13263) granting a pension to Oliver L. Burnett; to the Committee on Pensions.

By Mr. WILLIAMSON: A bill (H. R. 13264) granting a pension to Albert Peterson; to the Committee on Pensions.

Also, a bill (H. R. 13265) granting a pension to William Garnett; to the Committee on Pensions.

Also, a bill (H. R. 13266) granting an increase of pension to Charles C. Chadick; to the Committee on Pensions.

By Mr. WOOD of Indiana: A bill (H. R. 13267) granting an increase of pension to Catherine Hayden; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6538. By the SPEAKER (by request): Petition of the Quaker City Chapter, No. 162, representing 353 members, Order of Eastern Star of Pennsylvania, and citizens of Pennsylvania, asking for the passage of the Towner-Sterling bill for the creation of a department of education; to the Committee on Education.

6539. By Mr. BRIGGS: Communication and petition from E. L. Long, Alvin, Tex., for recognition, through increased appropriations, of pink bollworm claims; to the Committee on Appropriations.

6540. By Mr. CAREW: Petition of citizens of the city of New York, relating to the brutal murder and torture of Irish men and Irish women; to the Committee on Foreign Affairs.

6541. By Mr. CRISP: Petition of R. H. French and others, of Virginia, to abolish discriminatory tax on small arms ammunition and firearms; to the Committee on Ways and Means.

6542. By Mr. FULLER: Petition of the Fire Marshals' Association of North America, for legislation to prohibit the transportation of inflammable films in interstate commerce; to the Committee on Interstate and Foreign Commerce.

6543. Also, petition of the Federation of Polish Hebrews of America, favoring amendment of the immigration laws to permit the entry of all married women whose husbands are already in America, and their children, regardless of the quota allowed for the country where they reside; to the Committee on Immigration and Naturalization.

6544. Also, petition of the Naval Post of Chicago, No. 372, Department of Illinois, American Legion, favoring maintaining the Great Lakes Naval Training Station and making the necessary appropriations therefor; to the Committee on Appropriations.

6545. Also, memorial of the city council of the city of Chicago, for a new post-office building at Chicago; to the Committee on Public Buildings and Grounds.

6546. By Mr. KELLEY of Michigan: Petition of Thomas E. Houghton and 20 other citizens of Flint, Mich., to abolish discriminatory tax on small-arms ammunition and firearms; to the Committee on Ways and Means.

6547. By Mr. KIESS: Petition of Knights of Malta, Renovo, Pa., favoring the passage of the Towner-Sterling bill to create a department of education; to the Committee on Education.

6548. By Mr. KISSEL: Petition of Safe River Committee of 100, New Orleans, La., relative to flood control; to the Committee on Flood Control.

6549. By Mr. ROACH: Petition of the Ministerial Alliance of Boonville, Mo., protesting against recent Turkish atrocities and requesting that the United States of America voice its emphatic protest; to the Committee on Foreign Affairs.

6550. By Mr. TEMPLE: Petitions of residents of Washington County, Pa., in support of House bill 7, for the creation of a department of education; to the Committee on Education.

6551. By Mr. YOUNG: Petition of A. G. Smith and others, of Velva, N. Dak., to abolish discriminatory tax on small-arms ammunition and firearms; to the Committee on Ways and Means.

6552. Also, petition of Evenson & Peterson Co., Litchville, N. Dak., to abolish discriminatory tax on small-arms ammunition and firearms; to the Committee on Ways and Means.

6553. Also, petition of Mr. Haut and others, of Gackle, N. Dak., to abolish discriminatory tax on small-arms ammunition and firearms; to the Committee on Ways and Means.

#### SENATE.

FRIDAY, December 8, 1922.

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, along the track of our history we have abundant evidences of Thy great goodness. Thou hast been with us as a people in many of the great emergencies which confronted us. We believe Thou art the same God, the God of our fathers, and our God, too. We humbly ask that Thy help may be had in the perplexing problems of this hour, and so lead us onward that in every department of service Thine approval may be realized. Through Jesus Christ, our Lord. Amen.

The VICE PRESIDENT being absent, the President pro tempore took the chair.

WILLIAM B. MCKINLEY, a Senator from the State of Illinois, and A. OWSLEY STANLEY, a Senator from the State of Kentucky, appeared in their seats to-day.

The reading clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

#### CALL OF THE ROLL.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Calder	Couzens	Dial
Bayard	Capper	Culberson	Dillingham
Brookhart	Caraway	Cummins	Fernald
Broussard	Colt	Curtis	Fletcher

George	Ladd	Norris	Sutherland
Gooding	La Follette	Phipps	Townsend
Harrell	Lenroot	Poinexter	Trammell
Harris	Lodge	Pomerene	Underwood
Harrison	McCumber	Ransdell	Wadsworth
Heflin	McKellar	Reed, Pa.	Walsh, Mass.
Hitchcock	McKinley	Sheppard	Walsh, Mont.
Johnson	McLean	Shortridge	Warren
Jones, N. Mex.	McNary	Smith	Watson
Jones, Wash.	Moses	Smoot	Weller
Kellogg	Nelson	Spencer	Williams
Kendrick	New	Stanley	Willis
Keyes	Norbeck	Sterling	

The PRESIDENT pro tempore. Sixty-seven Senators have answered to their names. There is a quorum present. The Senate will receive a message from the House of Representatives.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives by Mr. Overhue, its enrolling clerk, announced that the House had agreed to House Concurrent Resolution 75, providing for a joint session of the two Houses of Congress on this day at 12.30 p. m., for the purpose of receiving such communication as the President of the United States shall be pleased to make, in which the concurrence of the Senate was requested.

The message also announced that the Speaker of the House had appointed Mr. Moore of Virginia a member of the Board of Regents of the Smithsonian Institution in place of Mr. Padgett, deceased.

#### JOINT MEETING OF THE TWO HOUSES.

Mr. LODGE. I ask that the concurrent resolution of the House be laid before the Senate.

The PRESIDENT pro tempore laid before the Senate House Concurrent Resolution 75, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES,  
December 8, 1922.

*Resolved by the House of Representatives (the Senate concurring).* That the two Houses of Congress assemble in the Hall of the House of Representatives on Friday, the 8th day of December, 1922, at 12.30 o'clock in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

Mr. LODGE. I move that the Senate concur in the resolution.

The concurrent resolution was considered by unanimous consent and agreed to.

#### CREDENTIALS OF SENATOR LA FOLLETTE.

The PRESIDENT pro tempore laid before the Senate a certificate of the Governor of Wisconsin, certifying to the election of ROBERT M. LA FOLLETTE, as a United States Senator for the term beginning March 4, 1923, which was read and ordered to be filed, as follows:

UNITED STATES OF AMERICA,  
THE STATE OF WISCONSIN,  
Executive Department.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, 1922, ROBERT M. LA FOLLETTE was duly chosen by the qualified electors of the State of Wisconsin a Senator from said State, to represent said State in the Senate of the United States, for the term of six years, beginning on the 4th day of March, 1923.

In testimony whereof I have hereunto set my hand and caused the great seal of the State of Wisconsin to be affixed. Done at the capitol in the city of Madison, this 2d day of December, in the year of our Lord, 1922.

[SEAL.]

JOHN J. BLAINE,  
Governor.

By the Governor:

ELMER S. HALL,  
Secretary of State.

#### NAVAL MANEUVERS IN BAY OF PANAMA.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of the Navy, which will be read:

The reading clerk read as follows:

THE SECRETARY OF THE NAVY,  
Washington, December 7, 1922.

SIR: The United States Fleet composed of the combined forces on the Atlantic and Pacific coasts will be engaged in tactical exercises in the Bay of Panama from the 12th to the 23d of March, and a part of this force will conduct certain important gunnery experiments in the same locality between the 26th and 30th of March, which it is felt certain Members of Congress may wish to see.

The Navy transport *Henderson*, which is regularly employed in transporting naval personnel and freight between the United States and ports in the West Indies, is scheduled to sail for those ports on or about the 4th of March.

With very little difficulty, and with a minimum of expense involved, the schedule of the *Henderson* could be so modified as to permit her going from the West Indies to Panama Bay. Should the Congress, particularly those Members composing the Naval Affairs Committees and the naval subcommittees of the Appropriation Committees of the Senate and House of Representatives and representatives of the Foreign Affairs and Foreign Relations Committees, ex-

press the desire to witness the above exercises, I should be pleased to have reserved for their use the available accommodations on the *Henderson*.

In addition to the opportunity which this affords to witness our fleet in maneuvers, I might add that this trip will give such Members of Congress as can take advantage of it an opportunity to inspect our naval stations in the Canal Zone, our island possessions of St. Thomas, the administration of Santo Domingo, the military government of Port au Prince, and our naval station at Guantanamo.

The schedule of this trip of the *Henderson* can be so arranged as to enable the Members to embark after the adjournment of Congress, March 4, 1923, and to return to Washington by April 13.

It now appears that there will be accommodations approximately for 60 passengers over and above those belonging to the Navy. The only cost to such Members as are able to take the prospective trip will be \$1.50 per day for subsistence and 15 cents per day for laundry.

An early determination of the wishes of Congress is desired in order that plans may be formulated.

Respectfully,

EDWIN DENBY.

The PRESIDENT OF THE SENATE,  
Washington, D. C.

(Copy to the Speaker of the House.)

The PRESIDENT pro tempore. The communication will lie on the table for the information of the Senate.

#### ANNUAL REPORT OF THE ATTORNEY GENERAL.

The PRESIDENT pro tempore laid before the Senate a communication from the Attorney General, transmitting the annual report of the Attorney General of the United States for the fiscal year ended June 30, 1922, which was referred to the Committee on the Judiciary.

#### REGENT OF SMITHSONIAN INSTITUTION.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the House of Representatives, which will be read:

The Assistant Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES,  
December 7, 1922.

The Speaker appointed Mr. MOORE of Virginia as member of the Board of Regents of the Smithsonian Institution in place of Mr. Padgett.

#### PETITIONS AND MEMORIALS.

Mr. KENDRICK presented a resolution of the Fremont County (Wyo.) Woolgrowers' Association, favoring the passage of the so-called Capper-French truth in fabric bill, which was referred to the Committee on Interstate Commerce.

He also presented resolutions adopted by General Teamsters and Chauffeurs Local Union No. 307, of Cheyenne, Wyo., protesting against any modification of the immigration laws permitting the entrance of a larger number of immigrants into the United States, which were referred to the Committee on Immigration.

He also presented a resolution adopted by the Shoshone Project Water Users' Association, of Powell, Wyo., favoring relief from difficulties arising out of economic conditions which have impaired the ability of the settlers to meet their obligations to the Government, which was referred to the Committee on Irrigation and Reclamation.

Mr. LADD presented a resolution adopted by the Commercial Club of Fordville, N. Dak., favoring the enactment of legislation to stabilize the prices of farm products, which was referred to the Committee on Agriculture and Forestry.

#### BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

Mr. WILLIAMS. I hold in my hand a bill authorizing the erection in the city of Washington of a monument to the memory of the faithful colored mamies of the South during the war between the States, and I ask that it be referred to the Committee on the Library.

By Mr. WILLIAMS:

A bill (S. 4119) authorizing the erection in the city of Washington of a monument in memory of the faithful colored mamies of the South; to the Committee on the Library.

By Mr. GOODING:

A bill (S. 4120) to amend section 4 of the interstate commerce act; to the Committee on Interstate Commerce.

By Mr. McNARY:

A bill (S. 4121) authorizing a preliminary examination and survey of the Columbia and Snake Rivers; to the Committee on Commerce.

By Mr. SHEPPARD:

A bill (S. 4122) granting the consent of Congress to the Interstate Toll Bridge Co. for construction of a bridge across Red River, between Montague County, Tex., and Jefferson County, Okla.; to the Committee on Commerce.



By Mr. NEW:

A bill (S. 4123) granting a pension to Benjamin H. Sellers (with accompanying papers); to the Committee on Pensions.

By Mr. NEW (for Mr. FRELINGHUYSEN):

A bill (S. 4124) granting a pension to Amelia A. Collins; to the Committee on Pensions.

By Mr. McKINLEY:

A bill (S. 4125) granting an increase of pension to Max Liedtke;

A bill (S. 4126) granting an increase of pension to Mary W. James;

A bill (S. 4127) granting an increase of pension to William E. Minshall;

A bill (S. 4128) granting an increase of pension to Sarah C. Peterson (with accompanying papers); and

A bill (S. 4129) granting a pension to Charles Green (with accompanying papers); to the Committee on Pensions.

By Mr. KELLOGG:

A joint resolution (S. J. Res. 254) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

#### COMMITTEE SERVICE.

On motion of Mr. CURTIS, it was—

Ordered, That the Senator from Michigan [Mr. COUZENS] be assigned to service on the Committee on Banking and Currency, the Committee on Education and Labor, the Committee on Mines and Mining, and the Committee on Naval Affairs.

#### EXCESS EARNINGS OF RAILROADS.

Mr. CAPPER. Mr. President, I submit a resolution calling for certain information from the Interstate Commerce Commission, and I ask that it may lie on the table to be called up at a later day.

The resolution (S. Res. 379) was read, ordered to be printed and to lie on the table, as follows:

Whereas by the section numbered 15a of the Interstate Commerce Act, which was added by the Cummins-Esch Act, the Interstate Commerce Commission, after the termination of Federal control, was required to group the railroads of the country, and to adjust rates so that an aggregate fixed percentage return, specified in said section, should be earned upon the aggregate value of all such railroads; and

Whereas it was stated in said section 15a that the rate making provisions therein contained would enable some carriers "to receive a net railway operating income substantially and unreasonably in excess of a fair return upon the value of their railway property"; and

Whereas with the purpose of recovering a part of such unreasonable excess, and of securing the use of the same for the benefit of the public in the promotion of interstate commerce, it was provided in said section that any road that should receive such excess income should hold one-half of the excess above 6 per cent upon the value of its railway property "as trustee for the United States," and that the amount so held in trust should "within the first four months following the close of the period for which such computation is made be recoverable by and paid to the commission for the purpose of establishing and maintaining a general railroad contingent fund"; and

Whereas it is now almost three years since the termination of Federal control, and it is reported that many railroads, under the rates which have been fixed through the application of the provisions of said section 15a, have earned in excess of 6 per cent upon the value of their railway property, but have failed to make report of the same to the Interstate Commerce Commission, or to pay over one-half of such excess to said commission, and in disregard of the trust created by said section, have devoted all of said excess to their own uses; and that 13 great railroad systems will increase their dividends this year; and

Whereas it is reported that none of the railroads have paid over to the commission any excess earnings under said section 15a, and that in fact all the railroads of the country which have received earnings in excess of 6 per cent have, with few exceptions, failed to pay over one-half thereof, or any part thereof, to the commission for the uses and purposes provided by said section: Therefore be it

Resolved, That the Interstate Commerce Commission be requested to report to the Senate the following information:

1. The "rules and regulations for the determination and recovery of the excess income," payable under section 15a, which have been prescribed by the commission.

2. The Class I railroads which have made reports to the commission as to their earnings in excess of 6 per cent; the value of its railway property claimed by each; the excess earnings admitted by each; the value of the railway property of each as found by the commission under section 15a, in each case where a tentative or a final valuation of the same has been made, and in each case where no such valuation has been made, the nearest approximation to the value which can be readily reported, according to the rules and regulations applicable for the determination thereof, prescribed by the commission; the excess earnings of each such railroad computed according to the value so found or determined; and the amount of excess earnings paid to the commission by each such carrier.

3. All other Class I railroads which, from any reports made by the same to the commission, annually, monthly, or otherwise, appear to have received in excess of 6 per cent upon the value of their railway property; the value of such property of each, found or approximately determined as aforesaid; and the excess earnings of each computed according to such value, or the nearest approximate estimate of the same which can be readily reported.

4. Each railroad other than a Class I railroad that has reported any excess earnings to the commission under section 15a; the value of the railway property of each, as claimed by it; the excess earnings admitted by it; the value of the railway property of each such railroad as found or determined by the commission as aforesaid; the excess earnings of each such railroad as computed on such value so found or determined by the commission; and the amount of excess earnings paid by each such railroad to the commission.

5. The aggregate of excess earnings which remain payable to the commission from all railroads, according to the provisions of said section 15a, as computed by the commission, or the nearest approximation or estimate thereof, which the commission can readily report; and the items which make up the aggregate, to the extent that the same have been separately computed or estimated.

6. Whether any railroad which has failed or refused to make any report as to excess earnings required by such rules or regulations as the commission may have prescribed, or to pay over one-half of such excess earnings in accordance with the provisions of said section 15a, has made any statement of its grounds or reasons for such failure or refusal; and, if so, the name of each such railroad, with a copy of such portion of such statement as sets out such grounds or reasons.

7. As to any railroad or railroads appearing to have received in trust for the United States excess earnings which remain payable to the commission, according to the provisions of said section 15a, the steps or proceedings taken or begun by the commission to enforce payment of the public moneys so unlawfully retained; and be it further

Resolved, That the commission be requested to make report of the information called for by the foregoing resolution not later than January 1, 1923, if the same can with reasonable diligence be prepared for transmittal before that date; and if the same can not all be so prepared by that date, that it then make report of all information which can be at that time transmitted, and that it make a supplemental report as soon thereafter as may be practicable, completing the information called for.

#### REPORT OF NATIONAL FOREST RESERVATION COMMISSION.

The PRESIDENT pro tempore. Morning business is closed.

Mr. MOSES. Mr. President, before morning business is closed I wish to call attention to the fact that on Wednesday, December 6 last, the Vice President laid before the Senate the annual report of the National Forest Reservation Commission, but through inadvertence the usual provision for the printing of the report as a Senate document was not made. I now move that the report, with its accompanying illustrations, be printed as a Senate document.

The motion was agreed to; and the order was reduced to writing as follows:

Ordered, That the letter of the Secretary of War, transmitting the report of the National Forest Reservation Commission, for the fiscal year ended June 30, 1922, and referred to the Committee on Public Lands and Surveys on the 6th instant, be printed as a Senate document, including the illustrations accompanying the same.

#### THE CALENDAR.

The PRESIDENT pro tempore. The calendar under Rule VIII is now in order.

The bill (S. 214) to amend section 24 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, was announced as first in order on the calendar.

Mr. SMOOT. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1467) to carry into effect the findings of the Court of Claims in favor of Elizabeth White, administratrix of the estate of Samuel N. White, deceased, was announced as next in order.

Mr. SMOOT. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1016) to amend an act entitled "An act to repeal section 3480 of the Revised Statutes of the United States" was announced as next in order.

Mr. SMOOT. Let that bill be passed over.

The PRESIDENT pro tempore. Being objected to, the bill will be passed over.

The resolution (S. Res. 67) authorizing the Committee on Expenditures in the Executive Departments to hold hearings here or elsewhere and to employ a stenographer to report the same was announced as next in order.

Mr. FLETCHER. Let the resolution go over.

The PRESIDENT pro tempore. The resolution will be passed over.

The bill (S. 491) to provide, without expenditure of Federal funds, the opportunities of the people to acquire rural homes, and for other purposes, was announced as next in order.

Mr. WADSWORTH. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 7) to amend the act entitled "An act to regulate the business of loaning money on security of any kind by persons, firms, and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, and real-estate brokers in the District of Columbia," approved February 4, 1913, was announced as next in order.

Mr. POMERENE. I ask that the bill may go over.

The PRESIDENT pro tempore. Being objected to, the bill will be passed over.

The bill (S. 2391) to provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes, was announced as next in order.

Mr. SMOOT. That bill can not be considered this morning, and I therefore ask that it may go over.



The PRESIDENT pro tempore. The bill will be passed over. The bill (S. 2228) to amend certain sections of the Judicial Code relating to the Court of Claims was announced as next in order.

Mr. SMOOT. Let the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 8331) to amend the transportation act, 1920, and for other purposes, was announced as next in order.

The PRESIDENT pro tempore. Let this bill be passed over.

The resolution (S. J. Res. 41) authorizing transportation for dependents of Army field clerks and field clerks, Quartermaster Corps, was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

The bill (S. 2718) to provide for leasing of the floating dry dock at the naval station, New Orleans, La., was announced as next in order.

Mr. CALDER. Let that bill go over.

The PRESIDENT pro tempore. Being objected to, the bill will go over.

The bill (S. 2589) to amend section 11 of the act entitled "An act for the retirement of public-school teachers in the District of Columbia," approved January 15, 1920, was announced as next in order.

Mr. SMOOT. Let that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 67) for the relief of the heirs of Adam and Noah Brown was announced as next in order.

Mr. SMOOT. Let that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

WATSON B. DICKERMAN, ADMINISTRATOR.

The bill (S. 1539) for the relief of Watson B. Dickerman, administrator of the estate of Charles Backman, deceased, was announced as next in order, and was read.

Mr. SMOOT. Mr. President, I should like to have the Senator from New York [Mr. CALDER], who introduced the bill, make a short statement as to what effect the passage of the bill will have upon perhaps hundreds of similar cases. It grows out, I presume, of a claim on account of leakage allowed under existing law, but I am quite sure that there are hundreds and hundreds of such cases, and I am wondering whether the Senator can not in a brief statement explain why this bill should pass.

Mr. CALDER. Mr. President, this bill has been introduced a number of times; it has been reported from the Committee on Claims of the Senate at least a half a dozen times, and it has passed the Senate twice. It is true that claims for leakage may be made by other corporations or individuals who have withdrawn liquor from bond, but if the Senator will examine page 5 of the report he will find that in a number of cases cited there legislation of a similar nature has been enacted for the relief of others.

There is no doubt, Mr. President, that the record will show that the claimant is entitled to the refund. He paid the money in good faith, believing at the time he paid it that he was paying an excess, but he was compelled to pay it in order to get his goods from the warehouse, where they were stored. It seems to me, while it is a very late day, it is a very meritorious measure and ought to be passed.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. McKELLAR. Mr. President, my attention was distracted for a moment. Will the Senator state what the bill is which he desires to have passed?

Mr. CALDER. I will say to the Senator from Tennessee that this claim grows out of an overpayment on the withdrawal of liquor from bond. The overpayment was due to the fault of the revenue officer. This case has been repeatedly recommended for favorable action by the department, and there are many precedents for it. If the Senator will look on his calendar of bills he will find a report upon this bill from the department, and on page 5 a number of precedents are cited.

JOINT MEETING OF THE TWO HOUSES.

Mr. LODGE (at 12 o'clock and 23 minutes p. m.). Mr. President, I move that the Senate stand in recess in order that it may fulfill the terms of the concurrent resolution of the House of Representatives, in which the Senate has concurred, and now proceed to the Hall of the House of Representatives.

The PRESIDENT pro tempore. Without objection it is so ordered, and the Senate will now proceed to the Hall of the House of Representatives.

Thereupon the Senate, preceded by its Sergeant at Arms and by the President pro tempore and the Secretary, proceeded to the Hall of the House of Representatives.

ADDRESS BY THE PRESIDENT OF THE UNITED STATES.

[The address of the President of the United States this day delivered at a joint meeting of the two Houses of Congress will be found in the proceedings of the House of Representatives, page 212.]

The Senate returned to its Chamber at 1 o'clock and 25 minutes p. m., and the President pro tempore resumed the chair.

EXECUTIVE SESSION.

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 1 o'clock and 31 minutes p. m.) the Senate adjourned until to-morrow, Saturday, December 9, 1922, at 12 o'clock meridian.

CONFIRMATIONS.

*Executive nominations confirmed by the Senate December 8, 1922.*

POSTMASTERS.

FLORIDA.

Thomas H. Milton, Trenton.

KANSAS.

Ferdinand C. Stuewe, Alma.  
Philip F. Grout, Almena.  
Jacob L. Ritter, Bronson.  
Norman W. Nixon, Downs.  
Delle Duncan, Esbon.  
David A. Nywall, Formoso.  
Charles O. Bollinger, Iola.  
Gordon K. Logan, Kirwin.  
Gilbert E. Goodson, La Cygne.  
Louella M. Holmes, Mound City.  
Walter R. Dysart, Parker.  
Robert E. Wright, Satanta.  
Bessie W. Brennan, Strong.  
William B. Hart, Westmoreland.  
Elmer Alban, Westphalia.

MICHIGAN.

Edna M. Park, Alden.  
Robert Ryan, Bronson.  
Byron L. Page, Clifford.  
Euretta B. Nelson, Climax.  
Benjamin B. Gorman, Coldwater.  
John S. Hamlin, Eaton Rapids.  
Ward B. Schlichter, Gladwin.  
Martin H. King, Homer.  
William C. Truman, Luther.  
Claude W. Till, Mears.  
Fred W. Holmes, Milford.  
Norman A. McDonald, Newaygo.  
Harold T. Hill, Pentwater.  
Ida L. Sherman, Pullman.  
Charles T. Fillmore, Quincy.  
Richard Bolt, Standish.  
Fred Lutz, Warren.

MISSISSIPPI.

Amos K. Porter, Boyle.  
Sibyl Q. Stratton, Liberty.

MISSOURI.

James O. Erwin, Mokane.  
Clara S. Beck, Norborne.  
Elvin L. Renno, St. Charles.  
Alfred O. Lowman, Smithville.  
James A. Allison, Waverly.

HOUSE OF REPRESENTATIVES.

FRIDAY, December 8, 1922.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in heaven, may the marvel of creation, the wonder of redemption, and the strangeness of our preservation stir our gratitude and thanksgiving day by day. Lead us to think how dependent we are upon Thee and to appreciate the clear manifestations of an all-merciful God. May we know Thee, whom to know is eternal life. Be Thou with our President, his fireside, and all who are associated with him in authority. Bless our Nation and ever keep over it a pure and undefiled repre-



sentative government. That we may have the best and avoid the worst, may all citizens understand that Christian character and high intelligence must be the dominant notes in the progress of the Republic. Blessed Lord, endow us more and more with clean conscience, clear vision, and broad understanding. And Thine shall be the praise. Amen.

The Journal of the proceedings of yesterday was read and approved.

## JOINT SESSION.

Mr. MONDELL. Mr. Speaker, I present a resolution and ask for its immediate consideration.

The SPEAKER. The gentleman from Wyoming offers a resolution, which the Clerk will report.

The Clerk read as follows:

## House Concurrent Resolution 75.

*Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Friday, the 8th day of December, 1922, at 12.30 o'clock in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.*

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its chief clerk, announced that the Senate had passed without amendment the following concurrent resolution:

## House Concurrent Resolution 75.

*Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Friday, the 8th day of December, 1922, at 12.30 o'clock in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.*

## VESSELS OF WAR THAT HAVE BEEN SCRAPPED.

Mr. BUTLER. Mr. Speaker, I desire to make a privileged report from the Committee on Naval Affairs on House Resolution 457.

The SPEAKER. The gentleman from Pennsylvania offers a privileged resolution, which the Clerk will report.

The Clerk read as follows:

## House Resolution 457.

*Resolved, That the Secretary of the Navy be, and he is hereby, requested, if not incompatible with the public interest, to communicate to the House of Representatives full information touching the number of vessels of war that have been scrapped or disposed of by the United States and other powers who were participants in the Conference on Limitation of Armament, since the adjournment of that conference, and including vessels of war whether defined by any treaty signed at that conference or not.*

Mr. BUTLER. Mr. Speaker, this is unanimously reported by the Committee on Naval Affairs. The gentleman from Massachusetts [Mr. FROTHINGHAM], who introduced the resolution, was present at the time we considered it and is entirely satisfied with it. Therefore I move the adoption of the resolution.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

On motion of Mr. BUTLER, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

## HOLIDAY RECESS.

Mr. MONDELL. Mr. Speaker, quite a number of Members have made inquiries as to the probable length of the holiday recess of the House.

In view of the importance of disposing of the program of appropriations and the legislative program before the House, I think there is a general agreement among the Members that there should not be a long recess during the holidays. What I now have in mind is at the proper time to ask unanimous consent that when we adjourn on Saturday, December 23, we adjourn until Wednesday, December 27, giving us a recess of two days, Christmas and the day following.

I have not discussed with Members the matter of the recess over New Year's to any considerable extent, but my present thought is that the New Year's recess should be over New Year's Day only, or possibly the day following; but as matters now stand in the legislative program it would not seem wise to have a longer recess than over Monday, New Year's Day.

I shall not make these requests now, as I desire to discuss the matter further with gentlemen of the minority and some Members on this side; but my understanding is that the arrangement I have suggested will be fairly satisfactory to the membership of the House.

Mr. Speaker, I ask unanimous consent that the House now stand in recess, subject to the call of the Chair.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the House stand in recess, subject to the call of the Chair. Is there objection?

There was no objection.

Accordingly (at 12 o'clock and 10 minutes p. m.) the House stood in recess.

## JOINT SESSION OF SENATE AND HOUSE.

At 12 o'clock and 27 minutes p. m. the members of the President's Cabinet entered the Hall and took seats on the left of the Speaker's rostrum.

The Doorkeeper announced the President pro tempore of the Senate and the Members of the Senate.

The Senate, preceded by their President pro tempore and their Sergeant at Arms, entered the Chamber.

The PRESIDENT pro tempore of the Senate took the chair at the right of the Speaker, and the Members of the Senate took the seats reserved for them.

The SPEAKER. The Chair appoints as a committee on behalf of the House to wait upon the President and escort him to the Chamber the gentleman from Wyoming [Mr. MONDELL], the gentleman from Michigan [Mr. FORDNEY], the gentleman from Illinois [Mr. MADDEN], the gentleman from California [Mr. KAHN], the gentleman from Pennsylvania [Mr. BUTLER], the gentleman from Tennessee [Mr. GARRETT], the gentleman from Texas [Mr. GARNER], and the gentleman from Tennessee [Mr. BYRNS].

The PRESIDENT pro tempore of the Senate. On behalf of the Senate the Chair appoints the Senator from Massachusetts [Mr. LODGE], the Senator from Alabama [Mr. UNDERWOOD], the Senator from Indiana [Mr. WATSON], the Senator from Ohio [Mr. POMERENE], and the Senator from Kansas [Mr. CAPPER].

At 12 o'clock and 32 minutes p. m. the President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House, was announced by the Doorkeeper, and stood at the Clerk's desk amid applause on the floor and in the galleries.

## ADDRESS OF THE PRESIDENT.

The PRESIDENT. Mr. Speaker, Mr. President, Members of the Congress: So many problems are calling for solution that a recital of all of them, in the face of the known limitations of a short session of Congress, would seem to lack sincerity of purpose. It is four years since the World War ended, but the inevitable readjustment of the social and economic order is not more than barely begun. There is no acceptance of pre-war conditions anywhere in the world. In a very general way humanity harbors individual wishes to go on with war-time compensations for production, with pre-war requirements in expenditure. In short, everyone, speaking broadly, craves readjustment for everybody except himself, while there can be no just and permanent readjustment except when all participate.

The civilization which measured its strength of genius and the power of science and the resources of industries, in addition to testing the limits of man power and the endurance and heroism of men and women—that same civilization is brought to its severest test in restoring a tranquil order and committing humanity to the stable ways of peace.

If the sober and deliberate appraisal of pre-war civilization makes it seem a worth-while inheritance, then with patience and good courage it will be preserved. There never again will be precisely the old order; indeed, I know of no one who thinks it to be desirable. For out of the old order came the war itself, and the new order, established and made secure, never will permit its recurrence.

It is no figure of speech to say we have come to the test of our civilization. The world has been passing—is to-day passing—through a great crisis. The conduct of war itself is not more difficult than the solution of the problems which necessarily follow. I am not speaking at this moment of the problem in its wider aspect of world rehabilitation or of international relationships. The reference is to our own social, financial, and economic problems at home. These things are not to be considered solely as problems apart from all international relationship, but every nation must be able to carry on for itself, else its international relationship will have scant importance.

Doubtless our own people have emerged from the World War tumult less impaired than most belligerent powers; probably we have made larger progress toward reconstruction. Surely we have been fortunate in diminishing unemployment, and our industrial and business activities, which are the lifeblood of our material existence, have been restored as in no other reconstruction period of like length in the history of the world. Had we escaped the coal and railway strikes, which had no excuse for their beginning and less justification



for their delayed settlement, we should have done infinitely better. But labor was insistent on holding to the war heights, and heedless forces of reaction sought the pre-war levels, and both were wrong. In the folly of conflict our progress was hindered, and the heavy cost has not yet been fully estimated. There can be neither adjustment nor the penalty of the failure to readjust in which all do not somehow participate.

The railway strike accentuated the difficulty of the American farmer. The first distress of readjustment came to the farmer, and it will not be a readjustment fit to abide until he is relieved. The distress brought to the farmer does not affect him alone. Agricultural ill fortune is a national ill fortune. That one-fourth of our population which produces the food of the Republic and adds so largely to our export commerce must participate in the good fortunes of the Nation, else there is none worth retaining.

Agriculture is a vital activity in our national life. In it we had our beginning, and its westward march with the star of the empire has reflected the growth of the Republic. It has its vicissitudes which no legislation will prevent, its hardships for which no law can provide escape. But the Congress can make available to the farmer the financial facilities which have been built up under Government aid and supervision for other commercial and industrial enterprises. [Applause.] It may be done on the same solid fundamentals and make the vitally important agricultural industry more secure, and it must be done. [Applause.]

This Congress already has taken cognizance of the misfortune which precipitate deflation brought to American agriculture. Your means of relief and the reduction of the Federal reserve discount rate undoubtedly saved the country from widespread disaster. The very proof of helpfulness already given is the strongest argument for the permanent establishment of widened credits, heretofore temporarily extended through the War Finance Corporation.

The Farm Loan Bureau, which already has proven its usefulness through the Federal land banks, may well have its powers enlarged to provide ample farm production credits as well as enlarged land credits. It is entirely practical to create a division in the Federal land banks to deal with production credits, with the limitations of time so adjusted to the farm turnover as the Federal reserve system provides for the turnover in the manufacturing and mercantile world. Special provision must be made for live-stock production credits, and the limit of land loans may be safely enlarged. Various measures are pending before you, and the best judgment of Congress ought to be expressed in a prompt enactment at the present session. [Applause.]

But American agriculture needs more than added credit facilities. The credits will help to solve the pressing problems growing out of war-inflated land values and the drastic deflation of three years ago, but permanent and deserved agricultural good fortune depends on better and cheaper transportation. [Applause.]

Here is an outstanding problem demanding the most rigorous consideration of the Congress and the country. It has to do with more than agriculture. It provides the channel for the flow of the country's commerce. But the farmer is particularly hard hit. His market, so affected by the world consumption, does not admit of the price adjustment to meet carrying charges. In the last half of the year now closing the railways, broken in carrying capacity because of motive power and rolling stock out of order, though insistently declaring to the contrary, embargoed his shipments or denied him cars when fortunate markets were calling. Too frequently transportation failed, while perishable products were turning from possible profit to losses counted in tens of millions.

I know of no problem exceeding in importance this one of transportation. In our complex and interdependent modern life transportation is essential to our very existence. Let us pass for the moment the menace in the possible paralysis of such service as we have and note the failure, for whatever reason, to expand our transportation to meet the Nation's needs.

The census of 1880 recorded a population of 50,000,000. In two decades more we may reasonably expect to count thrice that number. In the three decades ending in 1920 the country's freight by rail increased from 631,000,000 tons to 2,234,000,000 tons; that is to say, while our population was increasing less than 70 per cent, the freight movement increased over 250 per cent.

We have built 40 per cent of the world's railroad mileage, and yet find it inadequate to our present requirements. When we contemplate the inadequacy of to-day it is easy to believe

that the next few decades will witness the paralysis of our transportation-using social scheme or a complete reorganization on some new basis. Mindful of the tremendous costs of betterments, extensions, and expansions, and mindful of the staggering debts of the world to-day, the difficulty is magnified. Here is a problem demanding wide vision and the avoidance of mere makeshifts. No matter what the errors of the past, no matter how we acclaimed construction and then condemned operations in the past, we have the transportation and the honest investment in the transportation which sped us on to what we are, and we face conditions which reflect its inadequacy to-day, its greater inadequacy to-morrow, and we contemplate transportation costs which much of the traffic can not and will not continue to pay.

Manifestly, we have need to begin on plans to coordinate all transportation facilities. We should more effectively connect up our rail lines with our carriers by sea. [Applause.] We ought to reap some benefit from the hundreds of millions expended on inland waterways, proving our capacity to utilize as well as expend. We ought to turn the motor truck into a railway feeder and distributor instead of a destroying competitor.

It would be folly to ignore that we live in a motor age. The motor car reflects our standard of living and gauges the speed of our present-day life. It long ago ran down Simple Living, and never halted to inquire about the prostrate figure which fell as its victim. With full recognition of motor-car transportation we must turn it to the most practical use. It can not supersede the railway lines, no matter how generously we afford it highways out of the Public Treasury. If freight traffic by motor were charged with its proper and proportionate share of highway construction, we should find much of it wasteful and more costly than like service by rail. Yet we have paralleled the railways, a most natural line of construction, and thereby taken away from the agency of expected service much of its profitable traffic, for which the taxpayers have been providing the highways, whose cost of maintenance is not yet realized.

The Federal Government has a right to inquire into the wisdom of this policy, because the National Treasury is contributing largely to this highway construction. Costly highways ought to be made to serve as feeders rather than competitors of the railroads, and the motor truck should become a coordinate factor in our great distributing system.

This transportation problem can not be waived aside. The demand for lowered costs on farm products and basic materials can not be ignored. Rates horizontally increased, to meet increased wage outlays during the war inflation, are not easily reduced. When some very moderate wage reductions were effected last summer there was a 5 per cent horizontal reduction in rates. I sought at that time, in a very informal way, to have the railway managers go before the Interstate Commerce Commission and agree to a heavier reduction on farm products and coal and other basic commodities, and leave unchanged the freight tariffs which a very large portion of the traffic was able to bear. Neither the managers nor the commission saw fit to adopt the suggestion, so we had the horizontal reduction, too slight to be felt by the higher-class cargoes and too little to benefit the heavy tonnage calling most loudly for relief.

Railways are not to be expected to render the most essential service in our social organization without a fair return on capital invested, but the Government has gone so far in the regulation of rates and rules of operation that it has the responsibility of pointing the way to the reduced freight costs so essential to our national welfare. [Applause.]

Government operation does not afford the cure. It was Government operation which brought us to the very order of things against which we now rebel, and we are still liquidating the costs of that supreme folly.

Surely the genius of the railway builders has not become extinct among the railway managers. New economies, new efficiencies in cooperation must be found. The fact that labor takes 50 to 60 per cent of total railway earnings makes limitations within which to effect economies very difficult, but the demand is no less insistent on that account.

Clearly the managers are without that intercarrier, cooperative relationship so highly essential to the best and most economical operation. They could not function in harmony when the strike threatened the paralysis of all railway transportation. The relationship of the service to public welfare, so intimately affected by State and Federal regulation, demands the effective correlation and a concerted drive to meet an insistent and justified public demand.



The merger of lines into systems, a facilitated interchange of freight cars, the economic use of terminals, and the consolidation of facilities are suggested ways of economy and efficiency.

I remind you that Congress provided a Joint Commission of Agricultural Inquiry which made an exhaustive investigation of car service and transportation, and unanimously recommended in its report of October 15, 1921, the pooling of freight cars under a central agency. This report well deserves your serious consideration. I think well of the central agency, which shall be a creation of the railways themselves, to provide, under the jurisdiction of the Interstate Commerce Commission, the means for financing equipment for carriers which are otherwise unable to provide their proportion of car equipment adequate to transportation needs. This same agency ought to point the way to every possible economy in maintained equipment and the necessary interchanges in railway commerce.

In a previous address to the Congress I called to your attention the insufficiency of power to enforce the decisions of the Railroad Labor Board. Carriers have ignored its decisions, on the one hand; railway workmen have challenged its decisions by a strike, on the other hand.

The intent of Congress to establish a tribunal to which railway labor and managers may appeal respecting questions of wages and working conditions can not be too strongly commended. It is vitally important that some such agency should be a guaranty against suspended operation. The public must be spared even the threat of discontinued service.

Sponsoring the railroads as we do, it is an obligation that labor shall be assured the highest justice and every proper consideration of wage and working conditions, but it is an equal obligation to see that no concerted action in forcing demands shall deprive the public of the transportation service essential to its very existence. [Applause.] It is now impossible to safeguard public interest, because the decrees of the board are unenforceable against either employer or employee.

The Labor Board itself is not so constituted as best to serve the public interest. With six partisan members on a board of nine, three partisans nominated by the employees and three by the railway managers, it is inevitable that the partisan viewpoint is maintained throughout hearings and in decisions handed down. Indeed, the few exceptions to a strictly partisan expression in decisions thus far rendered have been followed by accusations of betrayal of the partisan interests represented. Only the public group of three is free to function in unbiased decisions. Therefore the partisan membership may well be abolished, and decisions should be made by an impartial tribunal. [Applause.]

I am well convinced that the functions of this tribunal could be much better carried on here in Washington. Even were it to be continued as a separate tribunal, there ought to be contact with the Interstate Commerce Commission, which has supreme authority in the rate making, to which wage cost bears an indissoluble relationship. Theoretically, a fair and living wage must be determined quite apart from the employer's earning capacity, but in practice, in the railway service, they are inseparable. The record of advanced rates to meet increased wages, both determined by the Government, is proof enough.

The substitution of a labor division in the Interstate Commerce Commission, made up from its membership, to hear and decide disputes relating to wages and working conditions which have failed of adjustment by proper committees created by the railways and their employees, offers a more effective plan. [Applause.]

It need not be surprising that there is dissatisfaction over delayed hearings and decisions by the present board when every trivial dispute is carried to that tribunal. The law should require the railroads and their employees to institute means and methods to negotiate between themselves their constantly arising differences, limiting appeals to the Government tribunal to disputes of such character as are likely to affect the public welfare. [Applause.]

This suggested substitution will involve a necessary increase in the membership of the commission, probably four, to constitute the labor division. If the suggestion appeals to the Congress, it will be well to specify that the labor division shall be constituted of representatives of the four rate-making territories, thereby assuring a tribunal conversant with the conditions which obtain in the different rate-making sections of the country.

I wish I could bring to you the precise recommendation for the prevention of strikes which threaten the welfare of the people and menace public safety. It is an impotent civiliza-

tion and an inadequate government which lacks the genius and the courage to guard against such a menace to public welfare as we experienced last summer. [Applause.] You were aware of the Government's great concern and its futile attempt to aid in an adjustment. It will reveal the inexcusable obstinacy, which was responsible for so much distress to the country to recall now that, though all disputes are not yet adjusted, the many settlements which have been made were on the terms which the Government proposed in mediation.

Public interest demands that ample power shall be conferred upon the labor tribunal, whether it is the present board or the suggested substitute, to require its rulings to be accepted by both parties to a disputed question.

Let there be no confusion about the purpose of the suggested conferment of power to make decisions effective. There can be no denial of constitutional rights of either railway workmen or railway managers. No man can be denied his right to labor when and how he chooses, or cease to labor when he so elects, but, since the Government assumes to safeguard his interests while employed in an essential public service, the security of society itself demands his retirement from the service shall not be so timed and related as to effect the destruction of that service. [Applause.] This vitally essential public transportation service, demanding so much of brain and brawn, so much for efficiency and security, ought to offer the most attractive working conditions and the highest wages paid to workmen in any employment.

In essentially every branch, from track repairer to the man at the locomotive throttle, the railroad worker is responsible for the safety of human lives and the care of vast property. His high responsibility might well rate high his pay within the limits the traffic will bear; but the same responsibility, plus governmental protection, may justly deny him and his associates a withdrawal from service without a warning or under circumstances which involve the paralysis of necessary transportation. We have assumed so great a responsibility in necessary regulation that we unconsciously have assumed the responsibility for maintained service; therefore the lawful power for the enforcement of decisions is necessary to sustain the majesty of government and to administer to the public welfare. [Applause.]

During its longer session the present Congress enacted a new tariff law. The protection of the American standards of living demanded the insurance it provides against the distorted conditions of world commerce. The framers of the law made provision for a certain flexibility of customs duties, whereby it is possible to readjust them as developing conditions may require. The enactment has imposed a large responsibility upon the Executive, but that responsibility will be discharged with a broad mindfulness of the whole business situation. The provision itself admits either the possible fallibility of rates or their unsuitableness to changing conditions. I believe the grant of authority may be promptly and discreetly exercised, ever mindful of the intent and purpose to safeguard American industrial activity, and at the same time prevent the exploitation of the American consumer and keep open the paths of such liberal exchanges as do not endanger our own productivity.

No one contemplates commercial aloofness nor any other aloofness contradictory to the best American traditions or loftiest human purposes. Our fortunate capacity for comparative self-containment affords the firm foundation on which to build for our own security, and a like foundation on which to build for a future of influence and importance in world commerce. Our trade expansion must come of capacity and of policies of righteousness and reasonableness in all our commercial relations.

Let no one assume that our provision for maintained good fortune at home, and our unwillingness to assume the correction of all the ills of the world, means a reluctance to cooperate with other peoples or to assume every just obligation to promote human advancement anywhere in the world.

War made us a creditor Nation. We did not seek an excess possession of the world's gold, and we have neither desire to profit unduly by its possession nor to permanently retain it. We do not seek to become an international dictator because of its power.

The voice of the United States has a respectful hearing in international councils, because we have convinced the world that we have no selfish ends to serve, no old grievances to avenge, no territorial or other greed to satisfy. [Applause.] But the voice being heard is that of good counsel, not of dictation. It is the voice of sympathy and fraternity and helpfulness, seeking to assist but not to assume for the United States burdens which nations must bear for themselves. We would



rejoice to help rehabilitate currency systems and facilitate all commerce which does not drag us to the very levels of those we seek to lift up.

While I have everlasting faith in our Republic, it would be folly, indeed, to blind ourselves to our problems at home. Abusing the hospitality of our shores are the advocates of revolution, finding their deluded followers among those who take on the habiliments of an American without knowing an American soul. There is the recrudescence of hyphenated Americanism which we thought to have been stamped out when we committed the Nation, life and soul, to the World War.

There is a call to make the alien respect our institutions while he accepts our hospitality. [Applause.] There is need to magnify the American viewpoint to the alien who seeks a citizenship among us. There is need to magnify the national viewpoint to Americans throughout the land. [Applause.] More, there is a demand for every living being in the United States to respect and abide by the laws of the Republic. [Applause.] Let men who are rending the moral fiber of the Republic through easy contempt for the prohibition law, because they think it restricts their personal liberty, remember that they set the example and breed a contempt for law which will ultimately destroy the Republic. [Applause.]

Constitutional prohibition has been adopted by the Nation. It is the supreme law of the land. In plain speaking, there are conditions relating to its enforcement which savor of nationwide scandal. It is the most demoralizing factor in our public life.

Most of our people assumed that the adoption of the eighteenth amendment meant the elimination of the question from our politics. On the contrary, it has been so intensified as an issue that many voters are disposed to make all political decisions with reference to this single question. It is distracting the public mind and prejudicing the judgment of the electorate.

The day is unlikely to come when the eighteenth amendment will be repealed. The fact may as well be recognized and our course adapted accordingly. If the statutory provisions for its enforcement are contrary to deliberate public opinion, which I do not believe, the rigorous and literal enforcement will concentrate public attention on any requisite modification. [Applause.] Such a course conforms with the law and saves the humiliation of the Government and the humiliation of our people before the world, and challenges the destructive forces engaged in widespread violation, official corruption, and individual demoralization.

The eighteenth amendment involves the concurrent authority of State and Federal Governments for the enforcement of the policy it defines. A certain lack of definiteness, through division of responsibility, is thus introduced. In order to bring about a full understanding of duties and responsibilities as thus distributed, I purpose to invite the governors of the States and Territories, at an early opportunity, to a conference with the Federal Executive authority. Out of the full and free considerations which will thus be possible, it is confidently believed, will emerge a more adequate comprehension of the whole problem and definite policies of National and State cooperation in administering the laws.

There are pending bills for the registration of the alien who has come to our shores. I wish the passage of such an act might be expedited. Life amid American opportunities is worth the cost of registration if it is worth the seeking, and the Nation has the right to know who are citizens in the making or who live among us and share our advantages while seeking to undermine our cherished institutions. [Applause.] This provision will enable us to guard against the abuses in immigration, checking the undesirable whose irregular coming is his first violation of our laws. More, it will facilitate the needed Americanizing of those who mean to enroll as fellow citizens.

Before enlarging the immigration quotas we had better provide registration for aliens, those now here or continually pressing for admission, and establish our examination boards abroad, to make sure of desirables only. By the examination abroad we could end the pathos at our ports, when men and women find our doors closed, after long voyages and wasted savings, because they are unfit for admission. It would be kindlier and safer to tell them before they embark.

Our program of admission and treatment of immigrants is very intimately related to the educational policy of the Republic. With illiteracy estimated at from two-tenths of 1 per cent to less than 2 per cent in 10 of the foremost nations of Europe, it rivets our attention to a serious problem when we are reminded of a 6 per cent illiteracy in the United States. The figures are based on the test which defines an illiterate as one having no schooling whatever. Remembering the wide freedom of our public schools, with compulsory attendance in many

States in the Union, one is convinced that much of our excessive illiteracy comes to us from abroad, and the education of the immigrant becomes a requisite to his Americanization. It must be done if he is fittingly to exercise the duties as well as enjoy the privileges of American citizenship. Here is revealed the special field for Federal cooperation in furthering education.

From the very beginning public education has been left mainly in the hands of the States. So far as schooling youth is concerned the policy has been justified, because no responsibility can be so effective as that of the local community alive to its task. I believe in the cooperation of the national authority to stimulate, encourage, and broaden the work of the local authorities. But it is the especial obligation of the Federal Government to devise means and effectively assist in the education of the newcomer from foreign lands, so that the level of American education may be made the highest that is humanly possible.

Closely related to this problem of education is the abolition of child labor. Twice Congress has attempted the correction of the evils incident to child employment. The decision of the Supreme Court has put this problem outside the proper domain of Federal regulation until the Constitution is so amended as to give the Congress indubitable authority. I recommend the submission of such an amendment. [Applause.]

We have two schools of thought relating to amendment of the Constitution. One need not be committed to the belief that amendment is weakening the fundamental law, or that excessive amendment is essential to meet every ephemeral whim. We ought to amend to meet the demands of the people when sanctioned by deliberate public opinion.

One year ago I suggested the submission of an amendment so that we may lawfully restrict the issues of tax-exempt securities, and I renew that recommendation now. Tax-exempt securities are drying up the sources of Federal taxation, and they are encouraging unproductive and extravagant expenditures by States and municipalities. There is more than the menace in mounting public debt; there is the dissipation of capital which should be made available to the needs of productive industry. The proposed amendment will place the State and Federal Governments and all political subdivisions on an exact equality, and will tend to correct the growing menace of public borrowing, which if left unchecked may soon threaten the stability of our institutions.

We are so vast and so varied in our national interests that scores of problems are pressing for attention. I must not risk the wearying of your patience with detailed reference.

Reclamation and irrigation projects, where waste land may be made available for settlement and productivity, are worthy of your favorable consideration.

When it is realized that we are consuming our timber four times as rapidly as we are growing it, we must encourage the greatest possible cooperation between the Federal Government, the various States, and the owners of forest lands, to the end that protection from fire shall be made more effective and replanting encouraged.

The fuel problem is under study now by a very capable fact-finding commission, and any attempt to deal with the coal problem, of such deep concern to the entire Nation, must await the report of the commission.

There are necessary studies of great problems which Congress might well initiate. The wide spread between production costs and prices which consumers pay concerns every citizen of the Republic. It contributes very largely to the unrest in agriculture and must stand sponsor for much against which we inveigh in that familiar term—the high cost of living.

No one doubts the excess is traceable to the levy of the middleman, but it would be unfair to charge him with all responsibility before we appraise what is exacted of him by our modern complex life. We have attacked the problem on one side by the promotion of cooperative marketing, and we might well inquire into the benefits of cooperative buying. Admittedly, the consumer is much to blame himself, because of his prodigal expenditure and his exaction of service, but Government might well serve to point the way of narrowing the spread of price, especially between the production of food and its consumption.

A superpower survey of the eastern industrial region has recently been completed, looking to unification of steam, water, and electric powers, and to a unified scheme of power distribution. The survey proved that vast economies in tonnage movement of freights, and in the efficiency of the railroads, would be effected if the superpower program were adopted. I am convinced that constructive measures calculated to promote such an industrial development—I am tempted to say, such an industrial revolution—would be well worthy the careful attention and fostering interest of the National Government.



The proposed survey of a plan to draft all the resources of the Republic, human and material, for national defense may well have your approval. I commended such a program in case of future war, in the inaugural address of March 4, 1921, and every experience in the adjustment and liquidation of war claims and the settlement of war obligations persuades me we ought to be prepared for such universal call to armed defense. [Applause.]

I bring you no apprehension of war. The world is abhorrent of it, and our own relations are not only free from every threatening cloud, but we have contributed our larger influence toward making armed conflict less likely. [Applause.]

Those who assume that we played our part in the World War and later took ourselves aloof and apart, unmindful of world obligations, give scant credit to the helpful part we assume in international relationships.

Whether all nations signatory ratify all the treaties growing out of the Washington Conference on Limitation of Armament or some withhold approval, the underlying policy of limiting naval armament has the sanction of the larger naval powers, and naval competition is suspended. [Applause.] Of course, unanimous ratification is much to be desired.

The four-power pact, which abolishes every probability of war on the Pacific, has brought new confidence in a maintained peace, and I can well believe it might be made a model for like assurances wherever in the world any common interests are concerned.

We have had expressed the hostility of the American people to a supergovernment or to any commitment where either a council or an assembly of leagued powers may chart our course. Treaties of armed alliance can have no likelihood of American sanction, but we believe in respecting the rights of nations, in the value of conference and consultation, in the effectiveness of leaders of nations looking each other in the face before resorting to the arbitrament of arms.

It has been our fortune both to preach and promote international understanding. The influence of the United States in bringing near the settlement of an ancient dispute between South American nations is added proof of the glow of peace in ample understanding. In Washington to-day are met the delegates of the Central American nations, gathered at the table of international understanding, to stabilize their Republics and remove every vestige of disagreement. They are met here by our invitation, not in our aloofness, and they accept our hospitality because they have faith in our unselfishness and believe in our helpfulness. Perhaps we are selfish in craving their confidence and friendship, but such a selfishness we proclaim to the world, regardless of hemisphere or seas dividing. [Applause.]

I would like the Congress and the people of the Nation to believe that in a firm and considerate way we are insistent on American rights wherever they may be questioned, and deny no rights of others in the assertion of our own. Moreover, we are cognizant of the world's struggles for full readjustment and rehabilitation, and we have shirked no duty which comes of sympathy, or fraternity, or highest fellowship among nations. Every obligation consonant with American ideals and sanctioned under our form of government is willingly met. When we can not support we do not demand. Our constitutional limitations do not forbid the exercise of a moral influence, the measure of which is not less than the high purposes we have sought to serve.

After all there is less difference about the part this great Republic shall play in furthering peace and advancing humanity than in the manner of playing it. We ask no one to assume responsibility for us; we assume no responsibility which others must bear for themselves, unless nationality is to be hopelessly swallowed up in internationalism. [Applause.]

At 1 o'clock and 23 minutes p. m. the President and the members of his Cabinet retired from the Hall of the House.

The SPEAKER. The joint session of the two Houses is now dissolved.

At 1 o'clock and 24 minutes p. m. the Senate returned to their Chamber.

At 1 o'clock and 27 minutes p. m. the House resumed its session.

#### REFERENCE OF THE PRESIDENT'S ADDRESS.

Mr. MONDELL. Mr. Speaker, I move that the President's message be referred to the Committee of the Whole House on the state of the Union and that it be printed as a public document.

The SPEAKER. The gentleman from Wyoming moves that the President's message be referred to the Committee of the Whole House on the state of the Union and printed as a public document.

The motion was agreed to.

#### TREASURY APPROPRIATIONS.

On motion of Mr. MADDEN, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 13180) making appropriations for the Treasury Department for the fiscal year ending June 30, 1924, and for other purposes, with Mr. SANDERS of Indiana in the chair.

The Clerk, proceeding with the reading of the bill, read as follows:

**Tax Simplification Board:** For expenses of the Tax Simplification Board established in the Treasury Department under the provisions of section 1327 of the revenue act of 1921, approved November 23, 1921, as authorized under paragraph 2 (c) of said act and section, \$7,500, to be available for personal and other services and expenses in the District of Columbia and elsewhere.

Mr. JONES of Texas. Mr. Chairman, I move to strike out the last word. I do that for the purpose of asking a question with reference to the activities of the Tax Simplification Board. I have had a good many complaints, and I am sure other Members have, about the length of time it takes the income-tax department to finally dispose of reports of individual income taxes. I have had complaints and heard a good many when I was at home the last time to the effect that after a report is filed and the books are thrown open to the agents of the Government, they send round at two or three different times different men who check up; and one will make an assessment perhaps and say the books are all right. At the end of six months or a year or two years another man comes around, checks up again and makes some further changes in the report, until the man who renders the report can never tell if his taxes are finally disposed of.

Now, it seems to me, except in cases of fraud and concealment, the Government ought to be able to dispose finally of a review of all income taxes within a year from the time the report is filed. It seems to me the revenue law should be amended so as to make it unnecessary for any review to be made and checking up the report in the absence of fraud and concealment, where the books are thrown open and the Government makes a review within a period of one year.

I know there are some instances in particular—and I am sure all gentlemen of the House have knowledge of them—where the taxes of 1917 have been reviewed by three or four different agents of the department, and they are coming back this year and checking up and levying additional assessments. I have wondered if the Tax Simplification Board is engaged in the work of straightening that out. In some instances they came back after three or four years and changed the report and made additional assessments until the taxpayer can never have assurance that he is finished with any year's payment. I have wondered whether the appropriation made in the next paragraph following the one we are considering is sufficient to enable these men to check up and review the reports within a year.

Mr. MADDEN. I am not quite sure that I understand the gentleman's question.

Mr. JONES of Texas. I am talking about these tax men coming around one, two, and four years after the report is filed in individual income taxes. Of course, the Government should have ample time for thorough review but it seems to me that full auditing and review could be had within a year.

Mr. MADDEN. The gentleman refers to the Tax Simplification Board; that has nothing to do with the assessment of taxes. The Tax Simplification Board is a board appointed by the President by authority of law to try to simplify the form of the returns made by the taxpayer.

Mr. JONES of Texas. Yes; I have merely referred to that, but I am speaking of these agents that come around one, two, three, or four years after the books have been thrown open to the agents of the Government.

Mr. MADDEN. The Tax Simplification Board has made a report, and I think they filed their report yesterday with the Senate, at the request of the Senate.

Mr. JONES of Texas. I did not ask with particular reference to the Tax Simplification Board. The paragraph following this provides for the assessing and collecting of the revenue taxes, and it comes within the limit of what I am talking about, and it seems to me that provision ought to be made by the department.

Mr. MADDEN. I do not know what the regulations are, but I think this process is gone through with.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MADDEN. I ask that the gentleman have three minutes more.



The CHAIRMAN. The gentleman from Illinois asks that the time of the gentleman from Texas be extended three minutes. Is there objection?

There was no objection.

Mr. MADDEN. The individual states his own case. You incorporate your income and expenses, and you deduct such expenses as you may think proper, including the reduction of inventoried stock. You make the return of what you honestly believe to be the case. When the audit is made they discover that you have claimed credits you are not entitled to. There may be some doubt about certain credits, and they send men out to examine your books; they may send one man to examine your factory. They may not be satisfied with the report these men make from information which they have in the office. They send another man out, which is proper, until they finally find facts upon which they base the deduction in the case. I do not think it improper for the Government to send out these men to get at the facts.

Mr. JONES of Texas. It seems to me it would not be much more expensive to send them all out in one year so as to enable a man to know some time, somewhere, what his exact tax is.

Mr. MADDEN. The trouble in this particular has been that they have not been able to get an audit of the returns within a year. In the first place, there were no claims audited until 1921, as far back as 1917, so that the Treasury Department has been charged with the responsibility of auditing all those returns. They are now auditing returns for 1917, and they will not get through with them until the 4th of March, and then they will begin auditing the returns for 1918. There are certain classes of returns which have been audited for 1920 and 1921.

Mr. JONES of Texas. Are they catching up, and is there any assurance that they will ever catch up?

Mr. MADDEN. Yes; they are catching up. The personal returns are up to 1920. The consolidated corporation returns are not completed for 1917.

Mr. JONES of Texas. I have offered an amendment to the income tax law because of the confusion, uncertainty, and consequent hardship occasioned by assessments that are made two, three, four, and five years after taxes become due and payable.

I have provided that except in cases of fraud and concealment returns must be reviewed and any additional assessment made within one year after the filing of the return. This will give the Government ample time to make any corrections that may be necessary.

As the measure is administered now it frequently happens that a Government agent has assured a man that his return was correctly made out and a year or two later another Government man has come along and levied an additional assessment and still another at a later time.

Sometime, somewhere, the taxpayer should have assurance that his taxes for any particular year are fully paid. The uncertainty of never knowing when the matter is disposed of has in some cases been worse than the payment of the taxes.

I can see no good reason why when a taxpayer makes a full and complete report and permits the examination of his books the Government should not take final action within a year. It frequently happens that a person would be able to pay his taxes at the time, but relying on payment having been made business conditions may be such at the end of three or four years that it frequently means ruin to pay additional assessments.

The amendment I have offered protects the Government in case of fraud.

Mr. ANDREWS of Nebraska. Mr. Chairman, I rise in opposition to the amendment. I would like to ask a question of the chairman of the committee. Why is it that the Commissioner of Internal Revenue has not been able, or rather why has he not brought this matter more nearly up to date with the force that he now has. In 1913 there were 4,000 people in the Internal Revenue Bureau, including the Washington office and field service. In 1922 there were over 20,000 in the service. It was costing \$4,000,000 in 1913, and it is now costing more than \$35,000,000. Now, with this extension of the force and this increase of expenditure, why this delay? Is it the lack of system, is it the lack of an arrangement of business methods, or what is it? I would like to have some information from the chairman of the committee in response to these inquiries.

Mr. MADDEN. I think the answer to that question ought to be very simple. In 1913 we had no income-tax returns, and the total collection, if I recollect right, though I do not pretend to say accurately, was about \$218,000,000. We have collected since that time \$21,580,000,000.

Mr. ANDREWS of Nebraska. That may mean something and it may mean nothing.

Mr. MADDEN. It does mean something, because we had no income-tax returns then, and we have 7,000,000 now to take care of. These income-tax returns have been accumulating long since before these people here were responsible for them.

Mr. ANDREWS of Nebraska. Mr. Chairman, let me call attention to this fact: When we were considering here a short time ago a bill proposing to increase the internal-revenue districts by 10, the Secretary of the Treasury and the Commissioner of Internal Revenue submitted a report to the Committee on Ways and Means, and through it assumed that there had been no increase of the force from 1913 to 1922, and on that basis they had absolutely ignored the fact that from 1913 to 1920 the force had been increased from 4,000 to over 20,000 and that the expense had been increased from \$4,000,000 to over \$35,000,000.

Mr. MADDEN. Yes; and as a result of the employment of a large part of that force they have been collecting \$35,000,000 a month on back taxes, on underpaid schedules.

Mr. ANDREWS of Nebraska. Why did they not audit those schedules long ago? They have the men.

Mr. MADDEN. They have not the men. The schedules were not audited because they could not reach them. I am sure that the gentleman would not misstate the case. Let us take a consolidated return schedule. The gentleman knows there are several wagonloads of papers connected with some of those schedules.

Mr. ANDREWS of Nebraska. Yes; and they let them accumulate while they loiter about and curse the Government because their salaries are not increased almost monthly.

Mr. MADDEN. I do not know anything about that.

Mr. ANDREWS of Nebraska. I do.

Mr. MADDEN. We have no control over that.

Mr. ANDREWS of Nebraska. We ought to put something into operation that would bring about a change.

Mr. MADDEN. We are doing the best we can to cut the expenses and increase the revenues.

Mr. ANDREWS of Nebraska. But what have the gentleman and his committee done to prevent these inexcusable duplications and the unwarranted delay in refunding the excess payments made by taxpayers? It is useless to brush these matters aside as though they were of no consequence. Is not it important to prevent the illegal disbursement of money from the National Treasury by means of these duplicate payments?

Is it not also important—in fact, is it not the imperative duty of the Bureau of Internal Revenue—to refund to the taxpayers without undue delay the amounts illegally paid in excess of their legal requirements?

Let us consider a few examples which may be traced out by those in the department to establish beyond dispute the matter of duplicate payments. I cite a few instances:

In March, 1920, Morris Strain, of San Antonio, Tex., paid his taxes and afterwards submitted an application for refund, which was not passed upon by the Bureau of Internal Revenue until July, 1921. Payment was made in September, 1921, by warrant No. 15020 for \$1,411.60. Upon receipt of that warrant Mr. Strain discovered that it was a duplicate payment and returned to the department his personal check No. 237 in repayment of that amount, for which he had, as authorized, taken credit in the payment of his tax for 1920.

W. D. Cleveland, Jr., of Houston, Tex., paid taxes in March, 1920, and the commissioner allowed a refund in July, 1921, which was audited and paid in August, 1921, by warrant No. 13250, for \$1,952.87. He likewise returned the warrant, as he had already taken credit for that amount in payment of his taxes for 1920.

The Northern Trust Co., of Chicago, Ill., paid taxes in May, 1917. The excess payments thereof were allowed by the Commissioner of Internal Revenue, partly in November, 1920, and partly in April, 1921. The company was paid by warrant No. 57463 for \$3,188.73. Upon its receipt the company discovered a duplicate payment, and repaid the amount to the Government by its check No. 8142, because credit had been taken in payment of taxes for a previous year.

The Debevoise-Anderson Co. (Inc.), of 56 Liberty Street, New York City, paid taxes in June, 1918; excess payment allowed by the commissioner on schedule income tax No. 260, in August, 1921. Immediately after that allowance the claim was audited and paid by warrant No. 16442 for \$11,133.22. That warrant was returned to the Government by the company because only a very small amount, about \$52.86, was due them.

The Mulberry Coal Co., of Pittsburg, Kans., paid taxes in March, 1918, on schedule No. 253; the commissioner allowed a



refund in June, 1921, which was audited and paid in August, 1921, upon warrant No. 11217 for \$3,427.92. Upon receipt of the warrant the company found that it had already taken credit in its tax return for 1920, and accordingly repaid the allowance by personal check No. 1612.

Examples of this character could be cited almost indefinitely to show the laxness and inefficiency on the part of those handling the details of this business in the Bureau of Internal Revenue.

In 1922 official inquiry was made to ascertain how many refund claims for excess payment of taxes had been filed during the fiscal year 1921. The replies from the Commissioner of Internal Revenue in response show that about 55,000 claims were filed in his bureau and that 35,000 were adjusted during that year. Thus it appears that 20,000 were delinquent or remained unsettled at the end of that year. With equal receipts and adjustments from year to year the bureau is running behind 20,000 settlements each year and in two years these will accumulate to 40,000 unadjusted refund claims for taxes in excess.

At this rate, when can we expect the Commissioner of Internal Revenue to bring the business of his bureau up to date? With an expenditure of over \$35,000,000 a year for his force of over 20,000 people on the rolls, why does he allow this large delinquency to accumulate from year to year?

The taxpayers are entitled to a prompt return of their money and it is the duty of Congress to continue in the future as it has in the past to supply the commissioner with an adequate force. He has that force and he should be required by some means to bring the business of his office up to date.

The Clerk read as follows:

For expenses of assessing and collecting the internal-revenue taxes, including the employment of the necessary officers, attorneys, experts, agents, accountants, inspectors, deputy collectors, clerks, janitors, and messengers in the District of Columbia and the several collection districts, to be appointed as provided by law, telegraph and telephone service, rental of quarters outside the District of Columbia, postage, freight, express, and other necessary miscellaneous expenses, and the purchase of such supplies, equipment, furniture, mechanical devices, stationery, law books and books of reference, and such other articles as may be necessary for use in the District of Columbia and the several collection districts, \$31,200,000: *Provided*, That not more than \$100,000 of the total amount appropriated herein may be expended by the Commissioner of Internal Revenue for detecting and bringing to trial persons guilty of violating the internal-revenue laws or conniving at the same, including payments for information and detection of such violation.

Mr. DOWELL. Mr. Chairman, I move to strike out the last word in order to inquire of the chairman if the employees under this paragraph are permanent employees of the department?

Mr. MADDEN. Yes; they are permanent.

Mr. DOWELL. Why are these not under the same rule as those provided in the paragraph on page 23, the employees of the department?

Mr. MADDEN. We are reducing this force all of the time. You could not have a statutory force, because the emergency work requires a larger number of people than we would want to put on the statutory roll. We can dismiss these people the very minute that their services are not needed, and you can not always do that when the employees are on the statutory roll.

Mr. DOWELL. As a matter of fact, they are not being dismissed, as I understand it.

Mr. MADDEN. Oh, yes, they are. They have been reduced by the amount of \$3,000,000.

Mr. DOWELL. Thirty-one million two hundred thousand dollars is a large amount.

Mr. MADDEN. It is a large amount.

Mr. DOWELL. Does not the gentleman believe that the Members of the House should have a more itemized statement of just how this is expended?

Mr. MADDEN. The gentleman will find an absolutely itemized statement of the whole thing in the Budget.

Mr. DOWELL. I understand, but this does not precisely follow the Budget.

Mr. MADDEN. It cuts out some of the recommendations. If we carried an itemized statement of all of the appropriations, we would have a bill here of five or six hundred pages. We are just carrying out the law.

Mr. DOWELL. That is true, but you can itemize the number of employees. You can give the different items for which the money is to be expended. It seems to me that ought to be done instead of putting in a lump sum of \$31,200,000.

Mr. MADDEN. If we did that, we would have to appropriate more money than we do now.

Mr. DOWELL. Under what theory would it cost more money?

Mr. MADDEN. Under the theory that when you have a man at a fixed salary for a fixed period, he is there. They inter-

change, and we put men on under this provision temporarily and we are able, by reason of the right to use these funds, to employ a certain number of men to-day and less to-morrow, and this saves a lot of money.

Mr. DOWELL. At what salary are these being employed?

Mr. MADDEN. They are all under the statutory salaries, every one of them.

Mr. DOWELL. But with no limit as to the number?

Mr. MADDEN. You can not limit the number, because you do not know how many they want to-day. They may want 200 to-day and only 100 to-morrow. They put them on only when they need them.

Mr. DOWELL. Has the gentleman investigated to ascertain that no one is being employed except those absolutely necessary?

Mr. MADDEN. Absolutely.

Mr. DOWELL. Has the fund appropriated last year all been expended for that purpose?

Mr. MADDEN. There have been only four or five months of this year up to this time.

Mr. DOWELL. My notion is that this is not a very good way to appropriate for these departments.

Mr. MADDEN. After a thorough investigation I have reached the conclusion that this is the way to do it.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. JONES of Texas. Mr. Chairman, I rise in opposition to the pro forma amendment for the purpose of making an inquiry. Perhaps this does not pertain particularly to this bill, but a number of Members have spoken about these disklike instruments which have been placed upon several of the desks here in the Hall of the Chamber—I believe they are called amplifiers, though they seem to me, and to many others who have spoken about it, to be nothing less than buzz wheels. Does the gentleman from Illinois know who is responsible for the placing of these in the Chamber?

Mr. MADDEN. I do not know.

Mr. JONES of Texas. Or out of what fund they are to be paid for? If this is an experiment, it seems to me that the Congress of the United States ought not to be used for experimental purposes. To anyone who has paid attention to it, it is quite true that they seem to amplify the noise, but to very effectually destroy the enunciation, so that it is impossible many times, though sitting only a short way from the speaker, to understand exactly what he is saying. Is this to be followed by some moving-picture device, or is it contemplated that after a time our speeches shall be set to music?

Mr. MADDEN. I can assure the gentleman that they have not been placed in the Chamber at my request.

Mr. JONES of Texas. It makes the voice sound, at least on the floor here, as though one were talking into a barrel, and perhaps it might be an improvement to carry the overtones musically. Actually they seem to give the voice of the speaker the accents of a funeral director and the tone of an old-fashioned phonograph.

Mr. MADDEN. I am sorry, but I can not give the gentleman any further information than I have given, though I find it hard sometimes to hear myself.

The Clerk read as follows:

For expenses to enforce the provisions of the national prohibition act and the act entitled "An act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon, all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or cocoa leaves, their salts, derivatives, or preparations, and for other purposes," approved December 17, 1914, as amended by the revenue act of 1918, including the employment of executive officers, agents, inspectors, chemists, assistant chemists, supervisors, clerks, and messengers in the field and in the Bureau of Internal Revenue in the District of Columbia, to be appointed as authorized by law; the securing of evidence of violations of the acts, and for the purchase of such supplies, equipment, mechanical devices, laboratory supplies, books, and such other expenditures as may be necessary in the District of Columbia and several field offices, and for rental of necessary quarters, \$9,000,000: *Provided*, That not to exceed \$750,000 of the foregoing sum shall be expended for enforcement of the provisions of the said act of December 17, 1914: *Provided further*, That not to exceed \$25,000 of the total amount appropriated shall be available for advances to be made by special disbursing agents when authorized by the Commissioner of Internal Revenue and approved by the Secretary of the Treasury, the provisions of section 3648 of the Revised Statutes to the contrary notwithstanding.

Mr. HILL. Mr. Chairman, I rise to offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HILL: Page 27, line 22, after the word "expenditures," insert: "(not authorizing, however, any expenditures for the alleged publicity or information bureau now conducted under the supervision of one Sherman A. Cuneo, or for any similar bureau)."

Mr. HILL. Mr. Chairman—

Mr. MADDEN and Mr. BLANTON. Mr. Chairman, I reserve a point of order.



The CHAIRMAN. The gentleman from Illinois reserves a point of order.

Mr. HILL. Mr. Chairman, the hearings on this bill before the Appropriations Committee on pages 498 and 500 show the purposes of my amendment and the situation as to this publicity department of Prohibition Commissioner Haynes. I have here a large number of documents of the style which are daily issued, and all I wish to do is to call attention to some of them which are typical. Here is one.

[Release afternoon papers date indicated.]

WASHINGTON, April —Federal Prohibition Director McClenahan, of Colorado, reports that children are being used in that State also to protect moonshining. A still was found in a Denver home, where in an adjoining room 10 children occupied two beds. The parents on being arrested said that they obtained the still from a woman and mortgaged a cow to make the purchase. They set up the defense of providing support for the children.

WASHINGTON, April —Federal Prohibition Director Daily, of Mississippi, reports that the new State law that makes it compulsory for any individual caught with more than a quart of whisky in his possession to serve not less than 30 days in jail, with the privilege of suspension by a justice of the peace or circuit judge denied, is likely to land a number of those caught in the raids behind the bars. Their only escape from serving a jail sentence is said to be a pardon from the governor.

WASHINGTON, April —Federal Prohibition Director Morris, of Texas, reports 29 arrests in the Carrizozo enforcement area, among the number being a deputy sheriff of Lincoln County, whose 40-gallon still was raided and 14 gallons of liquor seized. The deputy sheriff had his badge on at the time, and Sheriff Harris assisted in the arrest.

Here is one I want to call to the attention of the committee. This is against law enforcement. It is one which no Government bureau should ever possibly issue to the American people.

WASHINGTON, April —Federal Prohibition Director Rowden, of Arkansas, reports that the Ku-Klux Klan has inaugurated a campaign against moonshiners. A dozen men, sheeted and masked, deposited a fully equipped whisky still on the sidewalk of a prominent corner of Texarkana shortly after midnight, with a quantity of mash and corn whisky. One of the men then wrote on the sidewalk with a piece of chalk, "Bootleggers, beware," and "Captured by the Ku-Klux Klan." Another went to the office of a newspaper and told the editor that the still had been captured by the Klan at a point about 6 miles south of town. All of the party then got back into automobiles and quickly disappeared.

Mr. Chairman, I agreed with the President of the United States when he said in this hall a few moments ago that we need a strict law enforcement, and any bureau of the Government which sends out stuff of this kind which encourages lynch law should not be given funds with which to do it.

Mr. BLANTON. Mr. Chairman, I made the point of order that the amendment of the gentleman is not in order, because it is in direct opposition to the purpose of this appropriation. One of the purposes of the appropriation of \$9,000,000 is to enforce the national prohibition act. That requires many administrative functions. One of these administrative functions is the one to which the gentleman now directs attention.

The CHAIRMAN. What rule of the House does it violate?

Mr. BLANTON. Well, it is not germane. It is not a limitation. All of the authorities hold that any limitation which is authorized under the rules must be germane to the purposes of the bill. This is not germane, but it is a limitation that is directly opposed to the fundamental purposes of this appropriation, and I make the point of order.

Mr. HILL. Does the Chair care to hear me on the point of order?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. HILL. Mr. Chairman, here is a provision of the Treasury act appropriating \$9,000,000 for the enforcement of the Volstead Act. My amendment is a limitation upon that appropriation in order to prevent any portion of that \$9,000,000 being wasted on a personal publicity campaign or in issuing propaganda that appears to applaud the use of lynch law with the approval of Federal Prohibition Commissioner Haynes. [Applause.]

Mr. TINCHER rose.

The CHAIRMAN. Does the gentleman desire to speak to the point of order?

Mr. TINCHER. I do not care to discuss the point of order.

The CHAIRMAN. Does the gentleman from New York desire to discuss the point of order?

Mr. HICKS. No. I thought that no point of order had been reserved, and I was going to make the point of order that the point had been raised too late, but I understand it was reserved.

Mr. BLACK. Mr. Chairman, I make this additional point of order. It seems to me the amendment in certain respects is too vague and indefinite and imposes an impossible task upon

the comptroller. It names certain work and then says "and other work of a similar character." It occurs to me that the language would be so indefinite as it might make it impossible of enforcement.

The CHAIRMAN. The Chair is ready to rule. The question of vagueness or indefiniteness is not the question before the Chair. It occurs to the Chair this is a limitation on the appropriation and the Chair overrules the point of order.

Mr. TINCHER. Mr. Chairman, I am opposed to the amendment. Mr. Chairman, this amendment is in keeping with the attitude and general demeanor of those who are attempting to defeat the enforcement of national prohibition and hope to bring about the repeal of the national prohibition law. Every department of our Government I know anything about, in order to save time, has a habit of giving publicity for the newspaper reporters in some kind of a systematic way and the opposition, as I understand the gentleman from Maryland has to prohibition enforcement, is that in one interview they gave out they quoted some man in Arkansas who said that the Ku-Klux Klan had destroyed some moonshine liquor.

Mr. HILL. Will the gentleman yield?

Mr. TINCHER. Not just now. If I get out of order I will have to yield. [Laughter.] I do not know for sure what objection the gentleman from Maryland would have to anyone destroying moonshine liquor. As a matter of fact I do not know anything much about Maryland. I understand there is a city in Maryland named Baltimore, but I never was there. I guess I have been there. I guess the train that I came to Washington on came under the city of Baltimore, but what I means is, I never had occasion to look out of the window as we came through. This amendment and the other amendments suggested by the gentleman from Baltimore last night are in direct opposition to the message of the President this morning. But there is nothing to be surprised at in that, because yesterday he announced that from now on he was going to be half Democrat and half Republican in his votes, and I suppose these amendments that he is offering are as a Democrat, being offered on the part of his Democratic half, for surely he would not come here but a few minutes after his own Executive has left the floor, asking that we do nothing to hinder, but on the other hand get behind the enforcement of the eighteenth amendment and the Volstead law and get behind this work. This amendment should not receive a large vote, but I do not know of any way to prevent the gentleman from Baltimore from voting for it. [Applause.]

Mr. CRAMTON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Michigan moves to strike out the last word.

Mr. CRAMTON. Mr. Chairman and gentlemen of the House, this is the first of a series of six amendments to be offered to this section by the gentleman from Maryland [Mr. HILL]. In the consideration of all these amendments the House should remember, particularly in the light of the splendid appeal for Americanism and law observance which our President has just offered in this Chamber, that the gentleman from Maryland speaks on this floor on this question as the authorized, duly credentialed minister plenipotentiary and envoy most extraordinary of the Association Opposed to the Prohibition Amendment [laughter], and that when the gentleman offers here an amendment to the item carrying the proposed fund for the enforcement of that law, carrying into effect one of the provisions of our Constitution, in that act he represents an organization that is known by all of its propaganda as being opposed to the eighteenth amendment, an organization which has no idea of ever securing its repeal but desires to nullify that part of the Constitution by hamstringing and defeating its enforcement. [Applause.]

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. If the gentleman is sure that I can get three or four minutes additional time, I will yield.

Mr. HILL. I want to say to the gentleman that President Harding—

Mr. CRAMTON. Oh, I can not yield to a speech from the gentleman.

Mr. HILL. Let me make but a minute speech. Answering the gentleman's question, the President said in the Senate of the United States four years ago that it was the right of the American people to repeal any constitutional amendment or any law they wanted to, and the association to which the gentleman refers—I have not consulted them about this, but I think they will agree with it—I will say to you that we have in this country the right to repeal an objectionable law.

Mr. CRAMTON. Now, I will resume my part of my speech. [Laughter.] The gentleman, or any other American, or any association in America, has the right to attempt to repeal any



provision of the Constitution; but so long as that constitutional provision remains in effect it is the duty of every patriotic American to try to make it effective. [Applause.]

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. No; I can not yield further now. No citizen has the right to say, "This part of the Constitution I will support, and this part I do not like and I will oppose," and the only purpose entertained by the association opposed to prohibition and their 29 coworkers in a most immoral vineyard is not to repeal it—because, as the President said, it never will be repealed—but they hope to defeat its purpose and make it ineffective. They hope to hamstring and destroy it by indirection and nullification. [Applause.]

Now, if the gentleman will permit, this country is not in sympathy with any such policy. The recent election has been heralded by the press of this country as a mark of the reaction of the country from its stand for prohibition. We have been given to understand that the loss of seats on the Republican side was due to prohibition enforcement. What is the truth about it? We have no right, no one has any right, to try to make prohibition and temperance a scapegoat for the serious loss suffered by the Republican Party in this House.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CRAMTON. May I have three minutes more?

The CHAIRMAN. The gentleman asks unanimous consent to proceed for three minutes more. Is there objection?

Mr. HILL. If the gentleman will yield for a question I will have no objection.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HILL. Will the gentleman yield to another question?

Mr. CRAMTON. Yes.

Mr. HILL. Directing the gentleman's attention to the particular amendment pending before the House, does the gentleman approve of the law enforcement by the Ku-Klux Klan?

Mr. CRAMTON. I have not anything to do with that proposition, and I do not wonder that the gentleman wishes to divert me at this particular time. I want to give the information that the country needs, and that is this: We lost 80 seats; the Republican Party lost 80 seats in the last election. Now of those 80 seats where Republicans went out and Democrats or others came in, how many of them were dry Republicans succeeded by wet Democrats? If you can answer that, then you can measure how much prohibition and the splendid stand of the Republican Party for law enforcement had to do with our difficulties in the last election. I will tell you. Of those 80 seats we suffered a net loss of only 9, and if the Republican Party had lost only 9 seats in the last election we never would have noticed it at all. That is the situation. Generally speaking, the country is not in harmony with the gentleman's program. In my own State—

Mr. FESS. Mr. Chairman, will the gentleman yield for a question?

Mr. CRAMTON. Briefly.

Mr. FESS. Where the issue was straight on wet or dry, as in Ohio, it went 200,000 for dry.

Mr. CRAMTON. Ohio went 200,000 dry, California went dry, and nearly every other place in the country where the issue was squarely drawn in the congressional contest the dry Member retained his seat. Further, in my own State, the gentleman's association—

Mr. STAFFORD. The gentleman does not contend that New Jersey or New York went dry?

Mr. CRAMTON. Well, those States never were dry. But if either one of those States could go back to the old days of the saloon for a year they would after that be dry, too.

Mr. STAFFORD. That was not the issue in this fight.

Mr. CRAMTON. There are only three ways of selling booze, as the gentleman knows. One is to sell it from a saloon. I do not care what its name is. If the place serves liquor, it is a saloon. Another is to sell it for use only in the home, with no opportunity for legal regulation. The third is to continue the policy of bootlegging. Which does the gentleman want?

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield? I will see that he gets more time.

Mr. CRAMTON. I will yield to the gentleman.

The CHAIRMAN. The gentleman's time has expired.

Mr. KNUTSON. I ask unanimous consent, Mr. Chairman, that the gentleman have three additional minutes.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the gentleman from Michigan may proceed three additional minutes. Is there objection?

There was no objection.

Mr. KNUTSON. Has the gentleman any information as to the number of illicit stills in his district or his State?

Mr. CRAMTON. I know that there are only two or three States in this Union where more money went into the Treasury this year from the enforcement of the law than in Michigan, which means a splendid attempt at enforcement, situated as we are upon the Canadian border.

Mr. KNUTSON. The gentleman has not answered my question.

Mr. CRAMTON. I do not know. I have never looked for one. I do not know where there is even one.

Mr. KNUTSON. Did the gentleman hear any statements being made during his campaign this fall as to the number of stills?

Mr. CRAMTON. I did the best I could to make this question an issue in my campaign in the primaries. The other gentleman started in to make it an issue, but he got cold feet and tried to ride both horses before he got through. I was especially pleased by the indorsement I received from my district, and I will say that in the November election the association opposed to the enforcement of prohibition, represented on this floor by the gentleman from Maryland [Mr. HILL], broadcasted in the State of Michigan the announcement that two Republican candidates there especially ought to be defeated for their position on this question. What was the result, or what followed? One of them, with a total vote of less than 50,000, received a majority of 22,000, the largest majority given to any contested candidate for Congress in the State this year. The other one, a former State Anti-Saloon League superintendent, in a district where the vote was much larger, a district having the industrial cities of Highland Park, Flint, Pontiac, and Lansing, received a majority of 17,000; and a third one, coming from the Upper Peninsula, a mining district having a large labor vote that it might be claimed would be wet, was triumphantly reelected notwithstanding his consistent support of prohibition, by a vote of 26,228 to 6,784. That was the gentleman from Michigan [Mr. JAMES].

The country expects Congress to stand for the Constitution, and such statements as come from the association opposed to prohibition should be taken at their real value and as intended to destroy enforcement, as they are. [Applause.]

Mr. MADDEN. I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 30 minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that all debate on this paragraph and all amendments thereto close in 30 minutes. Is there objection?

There was no objection.

Mr. THORPE. Mr. Chairman, I desire to be heard on this amendment. I feel that I am qualified to speak on this subject.

#### THIRTY-FIVE YEARS OF EXPERIENCE.

I have had considerable experience along these lines, covering a period of more than 35 years, since I left my home in Indiana to enter the business world when I was a boy only 13 years of age.

In these years I have had many experiences; some of them I would like to forget; some of them I remember with pleasure; but I am going to confess to some things that I am really ashamed of in my first attempt at addressing this House. I would hesitate to refer to my own unfortunate experience if it were not for the fact that certain distinguished gentlemen are attempting to raise an issue here that forces me to muster all the weapons at my command to help defeat their nefarious schemes.

#### TRUE TO MY CONSTITUENCY.

I would not be true to my constituency, to my family, my country, and my sense of honor if I did not raise my voice against this amendment, which will nullify and render inactive every purpose and intent of the Volstead Act. This amendment is nothing more nor less than a smoothly worded camouflage, a smoke screen, behind which is very strongly entrenched unlimited wealth and a great array of able men who hope to destroy this act and once more return the liquor traffic to its former power.

#### POISON PROPAGANDA.

Ever since the passage of this act they have been spreading a poison propaganda among the people of the various States, under the guise of personal liberty, demanding the return of light wines and beer, which is nothing less than the opening wedge for the complete overthrow of the national prohibition act. They have appealed to the very lowest depravity of human nature, they have enlisted in their ranks the worst alien population of foreign lands who have come to our shores, preying on their prejudice and ignorance of our laws and claiming that they are representing the wishes of the ma-



jority of the people. These hordes of newcomers have no knowledge of the fundamental principles of our Government, and it is safe to say that a large percentage are not naturalized, and whose only idea of liberty is their power to abuse it; and, on the other hand, there are a very large number of apparently respectable people striving for the complete overthrow of this act for the sole purpose of great financial gain.

#### MOST DANGEROUS CLASS.

This is the most dangerous element the friends of prohibition and law enforcement have to contend with to-day, because from their standing in the business world they give their methods an air of apparent respectability.

#### A POSTGRADUATE.

I claim to have had considerable experience upon the subject of the liquor traffic in these 35 years of contact with humanity. I have traveled in every State in the Union except one. I have had every opportunity to study this question among all classes of our citizenship. For the benefit of the distinguished gentleman from Baltimore [Mr. HILL] I would like to say that I have passed through the elementary school of light wines and beer, and I claim to be a postgraduate of the university of old king alcohol. [Laughter.]

And I hereby declare from this floor that for this education I have paid the price in sorrows, disappointments, and heartaches, such as this distinguished gentleman [Mr. HILL] in his apparently innocent attitude would force upon the present and unborn generations by the nullification of this act.

I am here for the purpose of opposing this amendment, and all other amendments which may come from the floor of this House attempting to nullify any amendment to the Constitution of the United States, which I know to be the most sacred document of our American history. [Applause.]

#### THE ISSUE INVOLVED.

The only issue to be considered here by this able body of men is the great moral principle involved. Shall we take a backward step at this time before the eyes of the civilized world and permit ourselves to be defeated by all the evil influences which will be mustered against law and order and the welfare of society? No, gentlemen of this House, we will not permit this to be done.

I was commissioned by the people of my district to come down here and support the provisions of the Volstead Act. I am glad to have this opportunity to voice my sentiments on this great moral question.

I have great admiration for the distinguished gentleman from the city of Baltimore [Mr. HILL]. I admire his stately form. [Laughter.] I recognize that he, no doubt, has a great judicial mind and that he is a man of wonderful learning, but I want to say to you, gentlemen of this House, that under the present conditions, as indicated by the will of the American people, and from the standpoint of civilization and Christianity, which ever strives to uplift mankind, "the gentleman's heart is wrong"; and I wish that some time in the near future he would come out beyond the placid waters of the old Missouri and become inoculated with some of the spirit of true freedom and love for law and order. Then I believe he would gladly come back here and follow the wise counsel of President Harding, that great leader, who just spoke to us a few minutes ago advocating the strict enforcement of this act.

#### TURKEY BANISHED ALCOHOL.

It is also pleasing to note, on the very day President Harding made his eloquent appeal, that far-away Turkey, one of the most criticized and troublesome nations of the present time, had put into effect the most drastic prohibition law of any nation in the world, and had forever banished alcoholic liquors from its boundaries, and the white ribbon was hoisted up beside the crescent as Mohammedan Turkey joined the few other nations of the world which now ban intoxicating liquors.

#### ALCOHOLISM A DISEASE.

Mr. Chairman and gentlemen, alcoholism is not only a curse, but it is a deadly disease; I have learned this from scientific men who have made this subject a life study. One of the authorities of one of the State insane asylums in the State of Iowa told me a number of years ago that more than 82 per cent of the inmates, confined there at that time, were victims of the ravages of alcohol, either directly or indirectly; I was also informed that 87 per cent of the insane patients of the State of Wisconsin were brought to their deplorable condition, either directly or indirectly, by this deadly disease.

This Government has spent millions to eradicate the yellow fever from the Southland; it has spent millions to stop the deadly ravages of smallpox, influenza, tuberculosis, and other kindred contagious diseases; it has also spent millions to destroy the deadly toll of cholera in hogs.

Tuberculosis in cattle and the foot-and-mouth disease in sheep and all of these diseases shrink into insignificance in comparison to the deadly ravages of the unrestricted use of alcohol to the human race. Its toll has been countless millions since the beginning of our Christian civilization, and if it were possible to rehabilitate these victims of this deadly disease in human form as they once existed, and march them in spectral array through the streets of Washington and permit any one of them to tell their story from the floor of this House it would be harrowing in the extreme, and no Member could reconcile it with his conscience to cast his vote against the appropriation to insure the enforcement of this act.

#### THE HISTORY OF MY ANCESTORS.

I come of Revolutionary stock; my ancestry dates back to the siege of Yorktown, where my great-great-grandfather gave his life in the defense of this Republic.

To me the Constitution of these United States is one of the most sacred documents of modern time. I believe in upholding it and in its strictest enforcement. It is the eternal foundation of all our liberties, not only to our own people but to the people of every land.

I may never have an opportunity to address this House again as my term of office is short, but I wish to be recorded here in defense of this law. [Applause.]

I want this message to go forth to my constituency, and to all the people throughout this land, that the greatest pleasure that came to me in the short time I was here was to record my vote for God and home and native land, and for the upbuilding and upholding of an outshining record for the strict enforcement of the Constitution of the United States. [Applause.]

#### NO SANE ARGUMENT CAN BE PRODUCED.

Yes, gentlemen of this House, there can be no sane argument used in its favor; alcoholism in any form is not only a deadly disease but a menace to society and good government. Degradation, sorrow, poverty, shame, crime, insanity, and untold suffering ever follow in its wake. With exceeding pleasure I shall vote to uphold the dignity of this law. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland [Mr. HILL].

The question being taken, on a division (demanded by Mr. HILL) there were—ayes 2, noes 98.

Accordingly the amendment was rejected.

Mr. BLANTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 28, line 8, after the word "standing," strike out the period, insert a colon, and then insert the following: "And provided further, That no part of this \$9,000,000 shall be paid in salary or expenses to any employee of the Internal Revenue Service who willfully fails or refuses to perform his duties connected with the enforcement of the laws mentioned in this paragraph."

Mr. MADDEN. Mr. Chairman, I make a point of order against that amendment. I do not think anybody can justify it.

Mr. BLANTON. It is merely a limitation.

Mr. MADDEN. That is already covered in the law itself. The law provides that men who fill these places are under oath to enforce the law, and where a man willfully refuses to do that, of course the remedy is to put him out of office. If he willfully violates the law and commits a crime by so doing he ought to be prosecuted. I do not think this is a proper amendment.

The CHAIRMAN. The Chair thinks this amendment is simply a limitation. Whether it is desirable or not is for the committee, and not the Chair, to decide.

Mr. BLANTON. Mr. Chairman, I am with the President of the United States in the message which he delivered here an hour ago on the enforcement of the prohibition laws. He called attention to the fact that their enforcement is lax and that this laxness must stop; that the law must be enforced if people are to continue having proper respect for this Government. Here we are spending \$9,000,000 in this bill for the enforcement of this law and it is not enforced; but my amendment will help enforcement, and when we come to the salaries of the district attorneys and the judges in the judicial appropriation bill, who are called upon to enforce the law, I expect to offer just such an amendment. They ought not, any of them, to receive a cent of the money of the people unless they are going to do their duty. The reason why 80 Members on the Republican side lost their seats in this House at the recent election was not, as the gentleman from Maryland [Mr. HILL] suggests, because of the prohibition question. It was because of other things, one of which, I might mention, was the long delay by the President of the United States in submitting to



the Congress the question of aid to farmers, which he, for the first time, submitted an hour ago. Why was not that question submitted two years ago in his inaugural address? Was not the need of the farmers of the country just as dire and necessities then as it is now? Why should not he, before the lessons of the recent election, have brought that question to the Congress? Everyone knows it was the dissatisfaction of the farmers of this country, above everything else, that caused the loss of many of the 80 Republican seats. All I have to do is to refer the gentleman from Maryland [Mr. HILL] to the record of our distinguished friend Doctor FESS, from Ohio. Where would Doctor FESS be if it had not been for his strong, determined, unflinching attitude on this question of enforcing the prohibition law? He goes to the United States Senate because of that stand. The good people of Ohio stood up in his behalf and behind him on prohibition to the exclusion of every other question. I want to say that when the time comes, when we take up the judicial appropriation bill, I am going to offer just such an amendment in respect to the district attorneys and the district judges. There are too many district attorneys and district judges where men come in and plead guilty to a violation of the prohibition law and are fined 1 cent or \$1, where the fines are not commensurate with the offense committed, and where there is no jail sentence whatever. Enforcement is left entirely to the State administration in many States. I do not think a man in the department ought to receive a dollar of this \$9,000,000 fund where he willfully fails to perform his duty. Every day you take up a newspaper and read where a guard of some burglarized warehouse has failed to do his duty and hundreds of gallons of whisky are taken away, barrels of whisky stolen and taken away by wagon loads, because some official or employee of the Government has failed to do his duty. That must stop. These employees must understand, every one of them, not only that they will lose their position, but they will not get a single dollar of the people's money unless they perform their duty.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MADDEN. Mr. Chairman, I have no doubt about the good intentions of the gentleman from Texas in offering this amendment. But it is wholly unnecessary. The law of the land provides for the punishment of men who violate their oath of office and how they should be dealt with. If the amendment of the gentleman from Texas should prevail it would place the Comptroller General of the United States in the position of having to pass upon the question whether a man on a given pay roll somewhere in the Government employ had performed his duty, and whether he could be paid, because there was some doubt as to whether he had performed that duty. This is an accounting question, the question of dealing with the men in the Government service. If men fail to perform their duties, no amendment of this sort will make them do it. It does not seem to me that we ought to complicate the situation by making it necessary for the Comptroller General to pass upon the eligibility of a man on the Government pay roll to receive his pay. If he violates the law he ought to be punished. If he does not perform his duty he ought to be dismissed. The law ought to be enforced, whatever the law may be. I am in favor of law enforcement and of doing everything possible to see that the law is enforced, no matter whether I believed in the law before it was passed or not.

Mr. RAKER. Will the gentleman yield?

Mr. MADDEN. I yield.

Mr. RAKER. Is it not a fact that under this amendment the man who receives his pay performs his duty, and would not the adoption of this amendment complicate it?

Mr. MADDEN. That is what I have said.

The CHAIRMAN. The time of the gentleman from Illinois has expired. The question is on the amendment offered by the gentleman from Texas.

The question was taken, and the amendment was rejected.

Mr. KNUTSON. Mr. Chairman, I move to strike out the last word. I wish to ask the chairman of the committee a question. What was the amount carried in the first appropriation bill after the enactment of Federal prohibition?

Mr. MADDEN. I think it was \$2,000,000. I am not quite sure. Then I think a million was appropriated in a deficiency bill, which made \$3,000,000, and later on there was further appropriations which made it \$9,200,000, and now it is \$9,000,000.

Mr. KNUTSON. What was the total the first year?

Mr. MADDEN. Three million dollars.

Mr. KNUTSON. What was the total amount the second year?

Mr. MADDEN. Five million five hundred thousand dollars, including a deficiency.

Mr. KNUTSON. The information I have is that as the cost of enforcing prohibition goes up the price of whisky is coming down. When we passed the prohibition act and the lid was put on, my information is that whisky cost \$10 and \$12 a bottle. Now it is said one can get home-brew whisky for \$8 a gallon.

Mr. ANDREWS of Nebraska. Will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. ANDREWS of Nebraska. What evidence does the gentleman base his statement upon that the price of whisky is coming down?

Mr. KNUTSON. Not only from what I have read, but I will say to the gentleman that in certain parts of the country price lists are being circulated freely.

Mr. CRAMTON. As time goes on the gentleman from Minnesota will become more expert in locating suitable sources of supply. [Laughter.]

Mr. KNUTSON. Well, the gentleman from Michigan, who is an expert, holds out some ray of hope. [Laughter.] I voted for the prohibition amendment to the Constitution and also for the Volstead Act. It is not working out as I had hoped. [Applause.] There are in this country to-day thousands and tens of thousands of illicit stills. Every day boys and girls in many localities are coming home from school paralyzed drunk and sick.

Mr. MURPHY. That is all bunk.

Mr. KNUTSON. That is absolutely true. I visited a home in my own city about a month ago, and the mother told me that her 14-year-old boy had come home from high school the day before so drunk and sick that she thought he was going to die. She asked him the next day where he had procured it, and the boy said that nearly all the boys in the school were carrying it on their hips.

Mr. TINCHER. Will the gentleman yield?

Mr. KNUTSON. I can not. I have only five minutes. How much money is necessary to enforce prohibition? I am willing to vote every dollar necessary to enforce the laws of the land. If prohibition can not be enforced, as some contend, then I might vote for a modification, as I am not willing to see remain on the statute books of the Nation a law that can not be enforced, for that only breeds contempt for law; neither am I willing to continue by my vote a condition that is ruining the boyhood and girlhood of the Nation. This is a question that must be solved by hard-headed reasoning and not by sentimentality. I would not for a moment favor going back to the old-fashioned saloon. For that institution I have not the least love or concern, but I am deeply concerned about the welfare of our boys and girls, who are the hope of the Republic. In God's name, let us take hold of this great question fearlessly and boldly and do that which we conceive to be for the best interests of the Nation.

Mr. SUMMERS of Washington. Does the gentleman think the open saloon would prevent the condition of which he complains?

Mr. KNUTSON. I have already stated that I am opposed to a return to the open saloon. We have a flaunting of the law that is sad and tragic. My friends, let us do something. Either stamp out the moonshining and bootlegging or come out fearlessly and admit that the law can not be enforced.

Mr. RAKER. Mr. Chairman, I rise in opposition to the pro forma amendment. Similar statements to those made by the gentleman from Minnesota [Mr. KNUTSON] are found in certain papers of the country. When you come to investigate the majority of them you find that it is something that Smith told Brown that Jones told Smith and Smith told somebody else. Personal observation and experience demonstrate the fact that nothing that has occurred in the last 25 years has done so much for American manhood and womanhood, has advanced the young man and the young woman of our Nation so much, as has the eighteenth amendment and the enforcement of that law. I have heard men say that you can buy liquor wherever you want it. Two years ago, last year, and even this summer I traveled thousands of miles through the mining country, where, necessarily, it used to be found. You could obtain it any place prior to the eighteenth amendment. There were from 5 to 10 to 15 saloons in every town of any size, all over the Western States. Go there to-day and you can not find liquor. You hear men say that you can obtain it, but go there and you will find that it is not obtainable, and you find that people are not drinking; you find that the men who used to drink have bank accounts; that they are sending their children to school; that they are well dressed and provided for; and that the community is prosperous as it never prospered before.



Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Just one moment. I want to tell a story. Two years ago I was in San Francisco with a man I knew very well. He said, "John, why is it that you voted for the constitutional amendment and these laws?" I said, "You know why; you have seen the results of liquor." He then told me that he could get it whenever he wanted it in San Francisco; you could get liquor at any place. I said very well, and invited him to go and have a drink. He then said, "It will cost you a dollar." But I replied that I did not care, that it would not cost him anything, that I would give \$2, and that he could take his drink and I would let them have mine. I said, "Come on, now, and show us." He then replied, "Oh, they will know you, and they will not furnish it to you." That is the same old story you find wherever you go. You find men willing to state what can be had and where it can be had, but when you come to a showdown and ask them they are unable to produce.

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. BUTLER. Does the gentleman remember the provisions of the Volstead Act that to buy liquor and to furnish it to another is a violation of law? [Laughter.]

Mr. RAKER. I do not quite get the question.

Mr. BUTLER. I am asking my friend whether, when he invited his friend in San Francisco to take a drink, he realized that he was violating the law?

Mr. RAKER. Oh, I realized the position of the law; I knew it well, but I knew that my friend could not get it. His was just like the stories that are told elsewhere. They read well, they sell the newspapers, they make good articles in the magazines. People like to talk about them. People like to talk about something that brings down humanity instead of uplifting it.

Mr. BUTLER. What would my friend have done if the liquor had been furnished? Would he have run away from it?

Mr. RAKER. I would have had to do it; yes. [Laughter.]

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Mr. Chairman, for 40 years I have had to run away from it. Gentlemen know what that means when you live in a community such as used to abound in the western country. If you did not go out with the boys, they would make you go. We all know what it means. No man can honestly say, if he thinks anything of his word and of his conscience, but that the eighteenth amendment and the law placed on the statute books to enforce it have done more to advance America and its cause than all of the laws that have been placed there for the last 15 years.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. TINKHAM. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 28, line 8, add a new provision, as follows: "Provided further, That no part of this appropriation shall be used for the payment of the salary of any employee who shall not have been appointed, after competitive examination and certification, by the Civil Service Commission."

Mr. MADDEN. Mr. Chairman, I make the point of order against the amendment upon the grounds that this is not a limitation but is a change of law. Section 38 of the prohibition enforcement law is as follows:

SEC. 38. The Commissioner of Internal Revenue and the Attorney General of the United States are hereby respectively authorized to appoint and employ such assistants, experts, clerks, and other employees in the District of Columbia or elsewhere, and to purchase such supplies and equipment as they may deem necessary for the enforcement of the provisions of this act, but such assistants, experts, clerks, and other employees, except such executive officers as may be appointed by the commissioner or the Attorney General to have immediate direction of the enforcement of the provisions of this act, and persons authorized to issue permits, and agents and inspectors in the field service, shall be appointed under the rules and regulations prescribed by the civil service act.

That is the act under which we are operating. The gentleman from Massachusetts is trying to amend that act, and I submit that it is legislation on an appropriation bill and under the rules of the House it is not in order.

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BUTLER. There is discretionary authority in the public officials to pay these men whether they are under the civil service or not?

Mr. MADDEN. Yes.

Mr. BUTLER. Then it is a clear violation of the rules of the House to take that discretion away from the appointing power.

Mr. TINKHAM. I desire to refer to section 825 of the Constitution Manual and Digest and Rules and Practice of the House of Representatives, page 368, where it says in reference to section 2 of Rule XXI, under which the point of order has been made—

Although the rule forbids on any general appropriation bill a provision "changing existing law," which is construed to mean legislation generally, the House's practice has established the principle that certain "limitations" may be admitted. It being established that the House under its rules may decline to appropriate for a purpose authorized by law, so it may by limitation prohibit the use of the money for part of the purpose while appropriating for the remainder of it (IV, 3936). The language of the limitation provides that no part of the appropriation under consideration shall be used for certain designated purpose (IV, 3917-3926). And this designated purpose may reach the question of qualifications, for while it is not in order to legislate as to the qualifications of the recipients of an appropriation the House may specify that no part of the appropriation shall go to recipients lacking certain qualifications (IV, 3942-3952).

All references under this statement are to Hinds' Precedents of the House of Representatives, and if the Chair will read the cases cited in Volume IV, 3942 to 3952, the Chair will see that the limitation is completely supported by these decisions.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. TINKHAM. I will.

Mr. MADDEN. The gentleman starts out very properly with a limitation by the language of his amendment, but he winds the amendment up with a direction which is legislation changing the law on the subject and is not in order.

Mr. ANDREWS of Nebraska. Will the gentleman yield?

Mr. TINKHAM. I will.

Mr. ANDREWS of Nebraska. Does not the amendment seek to establish a method of ascertaining qualifications rather than an ascertainment of qualifications, and on that ground it would be new legislation setting aside the legislation mentioned by the chairman of the committee a moment ago and adopting an entirely new method for the ascertainment of qualifications?

Mr. TINKHAM. Mr. Chairman, if the Chair will consult Hinds' Precedents, Volume IV, 3917 to 3926, as well as the former cases I have cited, he will find that the limitation I have offered is an amendment and limitation and is entirely within the rules.

The CHAIRMAN. Does the gentleman from Illinois [Mr. MADDEN] desire to be heard?

Mr. MADDEN. No.

The CHAIRMAN. The amendment offered by the gentleman from Massachusetts reads as follows:

Provided further, That no part of this appropriation shall be used for the payment of the salary of any employee who shall not have been appointed after competitive examination and certification by the Civil Service Commission.

The Committee on Appropriations, of course, have no legislative powers except such as are prescribed by the rules, and an amendment can not be offered which proposes legislation unless it comes within the rules. However, there is a very long line of decisions which permits limitations upon appropriations. An amendment may be offered which provides that no part of this appropriation shall be paid to any certain class of employees, and the Chair knows of no reason why an amendment which provides that no part of this appropriation shall be paid to employees unless they have certain qualifications is not a proper limitation. The Chair therefore overrules the point of order.

Mr. TINKHAM. Mr. Chairman, the President of the United States, who has just finished his annual address to Congress, has referred specifically to conditions relating to the enforcement of prohibition which savor of Nation-wide scandal, and said that this scandal is a most demoralizing factor in our public life. He also specifically referred to official corruption and individual demoralization in relation to this subject. If this committee is honest in its opinion and expressed desire to enforce the eighteenth amendment and the statutes which lie under it, its duty is to withdraw the enforcing arm of the Government as represented by the prohibition enforcement Federal service from partisan politics and its present atrocious misuse for personal and corrupt ends. The limitation I have offered will establish rules that have been established in nearly every department of this Government in order to protect the department from partisan manipulation and to best obtain results from work honestly and efficiently done. What are some of the admitted facts in relation to the present scandalous conditions? You will find upon page 493 of the hearings before the subcommittee on the Treasury Department appropriation bill now before us, held within 30 days, the following:

The CHAIRMAN. How many men are there employed altogether in the service?

Mr. HAYNES. We have 380 men on the general agents' force, and 3,518 will be the total under this estimate.



Mr. JONES. That is what we estimate for, 3,518, Mr. Chairman. We have now about 3,800, but this estimate that you now have under consideration contemplates a reduced appropriation.

Mr. HAYNES. You see, Mr. Chairman, we had built up to the maximum provided for with the \$9,250,000, which will now have to be somewhat readjusted and which we are already anticipating on the basis of a reduced appropriation.

Mr. MAGEE. Do I understand there is a reduction of 300 in the force, from 3,800 to 3,500?

Mr. JONES. The estimates are for 3,518. The work under prohibition enforcement is more or less spasmodic, and sometimes you have to have a larger number than at other times, and right now we have about 3,800.

In other words, they have now 3,800 men. Now, on page 509 of the same report appears the following colloquy:

Mr. GALLIVAN. Also please include a statement showing how many of your agents or employees have been arrested during each of those years.

Mr. JONES. I might state that during last year about 6 per cent of the agents were dropped for delinquency or misconduct. That might give you some idea of it.

Mr. GALLIVAN. I am not talking about anybody being dropped, but I am talking about those who have been arrested and prosecuted.

The CHAIRMAN. Arrested by State authorities or Federal authorities?

Mr. GALLIVAN. By any authorities.

Mr. JONES. You want a statement of the number of agents arrested and prosecuted during what time?

The CHAIRMAN. During each year since the act has been in force. (Statement referred to follows.)

"I am submitting to you herewith for inclusion in the hearings on the Treasury appropriation bill (after the eighteenth line, on page 593, of the transcript of the stenographic report) such data as are contained in our files regarding arrests and prosecutions of prohibition agents during the fiscal years 1920, 1921, 1922, and from July 1, 1922, to date.

"Very truly yours,

JAMES E. JONES,

"Acting Prohibition Commissioner."

*Arrests and prosecutions of prohibition agents.*

Fiscal year 1920.....	0
Fiscal year 1921.....	4
Fiscal year 1922.....	22
July 1, 1922, to date.....	9

The CHAIRMAN. The time of the gentleman has expired. The question is upon the adoption of the amendment offered by the gentleman from Massachusetts.

The question was taken, and the Chair announced the yeas appeared to have it.

On a division (demanded by Mr. TINKHAM) there were—ayes 7, yeas 56.

So the amendment was rejected.

Mr. HILL. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 27, line 19, after the word "securing," insert "without violating the national prohibition act or the laws of any of the several States."

Mr. BLANTON. Mr. Chairman, I make the point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. BLANTON. That the amendment is in violation of the Constitution and in direct—

The CHAIRMAN. That is not ground for a point of order.

Mr. BLANTON. I was going to suggest that I used that as a preface for making the point of order. It is not germane to the purposes of this bill or to the paragraph.

The CHAIRMAN. The Chair is ready to rule. The Chair overrules the point of order. The question is on agreeing to the amendment of the gentleman from Maryland.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will report the next amendment offered by the gentleman from Maryland.

The Clerk read as follows:

Amendment offered by Mr. HILL: Page 27, line 24, after the word "\$9,000,000," insert: "Provided, That none of the money so appropriated shall be used for the payment of travel or other expenses of any person engaged upon a speaking trip to address private or nongovernmental organizations."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Maryland.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The gentleman from Maryland offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HILL: Page 27, line 19, after the word "law," insert: "None such employees, however, to include legal advisers, counsel, assistant counsel, special counsel, attorneys, or law clerks."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Maryland.

The question was taken, and the Chairman announced that the "noes" appeared to have it.

Mr. BANKHEAD. Mr. Chairman, I ask for a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 2, yeas 64. So the amendment was rejected.

Mr. TINCHER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TINCHER. Will the Record disclose the instances where, when there was a division on the Hill amendment, the vote was one for and the opposition all the rest?

The CHAIRMAN. That is not a parliamentary inquiry.

Mr. HILL. I will say to the gentleman that I am glad to have it shown.

The CHAIRMAN. The gentleman from Maryland offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HILL: Page 27, line 24, after the figures "\$9,000,000," insert: "Provided, That none of the money so appropriated shall be expended for political propaganda intended to defeat Members of Congress."

Mr. BANKHEAD. Mr. Chairman, I make a point of order against that amendment, that it is not germane to the proposition, and also that it involves a conclusion or construction on the part of the Chair that is not a part of the functions of the Chair.

The CHAIRMAN. The point of order is overruled. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The gentleman from Maryland offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HILL: Page 27, line 6, after the word "violation" strike out the following paragraph, beginning line 7, page 27, and terminating with line 8, page 28.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

No part of the appropriations made herein for the Internal Revenue Service shall be used to increase the compensation of any class or grade of officers or employees.

Mr. KELLY of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. KELLY of Pennsylvania. Mr. Chairman, a few weeks before the recent election a letter was sent out by a noted magazine requesting expressions on the part of certain Members of Congress as to the Volstead law and the eighteenth amendment. In my answer was included a statement that this prohibition legislation, instead of being "put over" on the country, was the deliberate conviction of the Nation, with the largest majority ever known in the history of America. I stated that in the Continental Congress, in 1777, a resolution was passed calling upon the States for the enactment of laws prohibiting the distillation of alcohol from grain.

Later I had a letter from a benighted being in the black belt of Baltimore saying my statement was untrue. He declared he had gone through every page of the records of the Continental Congress, and no such resolution was ever passed.

I went through those records the other day to refresh my memory, and here is what I find:

Thursday, February 27, 1777.—Journals of Continental Congress, Volume VII, page 165:

Resolved, That it be recommended to the several legislatures of the United States immediately to pass laws the most effectual for putting an immediate stop to the pernicious practice of distilling grain, by which the most extensive evils are likely to be derived if not quickly prevented.

Thus we see that 145 years ago the Continental Congress, the predecessor of the Congress of the United States, in the midst of a revolutionary struggle for its very existence, passed a bone-dry law, the most effective within its power.

Mr. BLANTON. The gentleman spoke of the "black belt" in Baltimore. That is an entirely different one from the one that uses "white horses," is it not? [Laughter.]

Mr. KELLY of Pennsylvania. Yes. This is the black belt of ignorance in Baltimore, which never mounts. [Laughter.]

Mr. FOCHT. Mr. Chairman, will the gentleman yield?

Mr. KELLY of Pennsylvania. Yes.

Mr. FOCHT. Without expressing any opinion on the question, but in order that we may have the history accurately stated, is it not a fact that Thomas Jefferson in a published document deplored the fact that people were consuming so much spirits and recommended that they use malt liquors? Is not that correct?

Mr. KELLY of Pennsylvania. I have heard it so stated. I know that Dr. Benjamin Rush, of Pennsylvania, a Member of the Continental Congress and chairman of the independence committee, published a book in which he cited the evils of



alcohol and condemned its use either as a spirituous or malt beverage. [Applause.]

Mr. TAYLOR of Tennessee. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. TAYLOR of Tennessee: On page 28, line 9, strike out the paragraph ending with line 11.

Mr. TAYLOR of Tennessee. Mr. Chairman and gentlemen of the committee, I have offered an amendment to strike out the paragraph, lines 9, 10, and 11.

I feel that this provision in the bill is particularly an injustice to the deputy collector branch of the service. During the previous administration deputy collectors were enjoying lucrative salaries, ranging from \$2,000 to \$2,500. When the new administration went into power the new collectors started their employees at \$1,500 as a base salary. If this provision is left in the bill, the collectors can not promote these men, except in case of vacancies, and there are no vacancies. There will be a great many vacancies, however, if this provision continues in the bill, because good men will be forced to resign. That is the situation in Tennessee. I have conferred with the collector in my State and he tells me that a number of men there have signified their intention to resign unless some provision is made for their promotion.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. TAYLOR of Tennessee. I yield to my colleague.

Mr. BYRNS of Tennessee. The gentleman made the statement that in the previous administration deputy collectors were enjoying big salaries and that those salaries have been greatly reduced. I would like to know the basis for that statement.

Mr. TAYLOR of Tennessee. I can state from my own personal observation that they were drawing \$2,200 to \$2,500 in the Knoxville office.

Mr. BYRNS of Tennessee. There has been no action by Congress reducing their salaries.

Mr. TAYLOR of Tennessee. That was done by the collector's office. Under the previous law they were allowed to advance their salaries, but the collector for Tennessee started his men at \$1,500 with a bonus of \$240, and if this provision is left in the bill the collector will be powerless to promote these men, and, of course, good and capable men can not be retained for that compensation. The Knoxville, Tenn., office consists of a chief and four deputies. Each of these deputies draw a salary of \$1,500 per annum. Before they could be appointed it was necessary for them to show that they had had experience in bookkeeping or in auditing work. Of course, men who possess such qualifications should receive more compensation than \$1,500 per year, and unless they do receive it they will naturally find employment elsewhere. I am in favor of economy just as much as anyone, but I contend that a campaign of economy that looses the Government capable employees is very poor economy indeed.

Mr. CHINDBLOM. If the gentleman will allow me, of course, everybody knows that this administration is practicing economy.

Mr. TAYLOR of Tennessee. Yes.

Mr. MADDEN. The provision which the gentleman from Tennessee [Mr. TAYLOR] seeks to strike out is one that I am responsible for having put in the law. It provides—

That no part of the appropriation shall be used for the purpose of increasing compensation.

That does not apply to increasing compensation where a promotion can be made legitimately.

Mr. DOWELL. Will the gentleman yield?

Mr. MADDEN. In a moment. For example, if a man goes into the service at \$1,500 and there is a vacancy in a higher grade there is nothing to prevent the man in charge of the department from promoting him up to that higher salary; but it is not a \$1,500 salary. It is a \$1,740 salary that these men are getting. If you did not have this limitation in the law they would be paying them up to \$2,500 and \$3,000. And it would not be a question of merit. It would be a question of favoritism.

Mr. TAYLOR of Tennessee. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. TAYLOR of Tennessee. The gentleman understands that before the collector could promote them it would be necessary that a recommendation be made, and that would have to be approved by the Commissioner of Internal Revenue.

Mr. MADDEN. Of course I understand that, but just as soon as anybody with any influence wanted to get a deputy collector promoted, he would get the recommendation of the

local collector to the Internal Revenue Commissioner, and from the Internal Revenue Commissioner to the Secretary of the Treasury, and they would act on the recommendation.

Mr. DOWELL. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. DOWELL. Under the system as provided now by this paragraph there are different salaries paid.

Mr. MADDEN. No.

Mr. DOWELL. Yes; and men doing the same character of work are being paid different salaries. The man taken in now is taken in at \$1,500 salary. He is working side by side with a man who is receiving \$2,000 salary. There is no provision here for equalizing those salaries. Consequently the very thing the gentleman desires to stop, namely, favoritism, is now being practiced all the time and can be because there is that difference.

Mr. MADDEN. No; there are certain grades through which men can be promoted when there are vacancies in a grade, but there are no men working side by side doing the same class of work and receiving different pay. The pay is \$1,500 with a bonus of \$240.

Mr. DOWELL. The gentleman certainly is mistaken. These men are not all drawing the same pay under this provision.

Mr. MADDEN. They are getting \$1,500 and the \$240 bonus.

Mr. DOWELL. Some of them are receiving more than that.

Mr. MADDEN. True, there are men in higher grades who have been longer in the service who may be getting more, and there is nothing in this act to prevent the promotion of a man from the lowest grade to the next grade. But there is a provision here to prevent the indiscriminate promotion of men regardless of the justification for the promotion, and that is why the provision is in the bill. I hope it will remain there.

Mr. SMITH of Idaho. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. SMITH of Idaho. There is great variation in the salaries paid to State prohibition directors. In some States they get \$4,000 and in others \$3,000.

Mr. MADDEN. And in some \$5,000.

Mr. SMITH of Idaho. That is manifestly unfair.

Mr. MADDEN. Depending on the importance and volume of the work.

Mr. SMITH of Idaho. Even if the work increases, the salaries could not be increased under this provision.

Mr. MADDEN. You can not do it where there are 300,000 people in one State and there are 8,000,000 in another State.

Mr. SMITH of Idaho. Suppose the population is approximately the same and there is a difference in the salary of \$1,000. The director in Idaho receives \$3,000 while the director in Nevada, Wyoming, and Utah receives \$3,500 and in Montana he receives \$4,000 per annum.

Mr. TILSON. Will the gentleman yield?

Mr. MADDEN. I yield.

Mr. TILSON. Is there any objection to placing these employees under the classified civil service and let them be promoted as civil-service employees are promoted?

Mr. MADDEN. Not at all; no reason in the world, as far as I am concerned.

Mr. TILSON. Ought not that to be done?

Mr. MADDEN. Yes. There will be pressure for their promotion and increase of compensation until you take it out of politics.

Mr. BUTLER. Mr. Chairman, I move to strike out the last word. I want to ask the chairman what class of employees does this refer to. I want to say that I am in favor of this provision.

Mr. MADDEN. Internal-revenue collectors and all others under the Internal Revenue Department.

Mr. BUTLER. Classified employees?

Mr. MADDEN. All kinds.

Mr. BUTLER. I understand the salary is fixed according to the grade, and how can the administration official raise the salary of a man when he is graded and must act accordingly?

Mr. MADDEN. He can not as long as this provision remains in the bill.

Mr. BUTLER. Well, how can he do it now?

Mr. MADDEN. If he has a lump-sum appropriation he can pay anybody what he wants to, and it is for the purpose of stopping them from doing that that this provision is put in the bill. It is in the interest of the taxpayers. I want to say that I have no places in any department of the Government, so I am not pressing for any increase in compensation.

Mr. TINKHAM. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.



The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD.

Mr. KETCHAM. Reserving the right to object, to what extent, by inserting material?

Mr. TINKHAM. By the insertion of material and also several remarks. [Laughter.]

The CHAIRMAN. Is there objection.

Mr. DOWELL. I object.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

To enable the Secretary of the Treasury to refund money covered into the Treasury as internal-revenue collections under the provisions of the act approved May 27, 1908, \$250,000.

Mr. TINKHAM. Mr. Chairman, I move to strike out the last word. I desire to read a communication from E. C. Yellowley, chief general prohibition agent, dated April 13, 1922.

Mr. DOWELL. Mr. Chairman, I make the point of order that the gentleman is not speaking to the paragraph under consideration.

The CHAIRMAN (Mr. GRAHAM of Illinois). The Chair has not the benefit of what the gentleman is about to read, but the Chair will suggest to the gentleman that he may proceed in order.

Mr. DOWELL. Mr. Chairman, we are discussing a question on page 28, and the gentleman is about to discuss something entirely different.

Mr. BUTLER. Mr. Chairman, I ask unanimous consent of the committee that the gentleman from Massachusetts may proceed for two minutes out of order.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the gentleman from Massachusetts may proceed out of order for two minutes. Is there objection?

There was no objection.

Mr. TINKHAM. I will read the letter of Mr. E. C. Yellowley, chief general prohibition agent, as I understand, to all State directors or employing agencies of the Government, dated April 13, 1922, in relation to prohibition employees:

APRIL 13, 1922.

You will no doubt receive a large number of applications for positions, some of the applicants being qualified for the work, while others will not reach the educational qualifications or have the experience to make efficient officers.

Upon receiving applications it is suggested that you carefully review them, and if you find that a man is not qualified for the place that you settle the matter immediately by advising him to this effect. In such cases do not forward the applications to this office, as we are receiving them by the hundreds. If, however, a man who has the necessary experience and educational qualifications applies to you for a position it is desired that you make a thorough investigation as to his ability, character, etc., and suggest that he secure congressional indorsements, indorsements of the Anti-Saloon League, and other indorsements that he may be able to obtain to accompany his application, which should be executed in duplicate with photographs attached, and forward to this office with your report for consideration.

Even in such cases it is not desired that you give applicant too much encouragement or lead him to believe his application will be approved, for you well know that there are many delays in making appointments.

In the event that members of the Federal prohibition director's force apply to you to be transferred to the general agents' force it is desired that you make a general investigation as to their character, ability, efficiency, etc., and if you find that they would not make efficient and trustworthy officers for our force so advise the agent in order to eliminate correspondence with this office. If, on the other hand, you find that such agents have all of the qualifications necessary and are trustworthy and reliable suggest to the applicant that he secure a letter signed by his Federal prohibition director approving the transfer. Also have him execute Form 1401 in duplicate, with his photograph attached, and forward to this office with your report and recommendations.

I wish to impress upon you the importance of making the proper selection and recommendations for appointments to the position of general prohibition agent. It is desired that this force be kept up to the highest standard possible, and all appointees must have had at least a high-school education and considerable experience to qualify them for the position.

Very truly yours,

E. C. YELLOWLEY,  
Chief, General Prohibition Agents.

(During the reading of the letter the following occurred:)

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. TINKHAM. Mr. Chairman, may I, with unanimous consent, be allowed to extend my remarks in the RECORD by printing the remainder of this letter?

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD by printing the remainder of the letter. Is there objection?

There was no objection.

Mr. KNUTSON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. HILL. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. KETCHAM. I object.

The Clerk read as follows:

For refunding taxes illegally collected under the provisions of sections 3220 and 3689, Revised Statutes, as amended by the act of February 24, 1919, including the payment of prior year claims, \$12,000,000: *Provided*, That a report shall be made to Congress of the disbursements hereunder as required by the act of February 24, 1919.

Mr. WATSON. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee a question. I notice that in this paragraph there is appropriated \$12,000,000 for refunding taxes illegally collected. What is the limitation of that provision, three years?

Mr. MADDEN. It is for any years that the taxes may have been illegally collected.

Mr. WATSON. There is a new ruling that where taxes are illegally collected the amount is deducted from the next tax. Why does it need this great amount of money?

Mr. MADDEN. They need a lot of money for these schedules where they have discovered an illegal collection of taxes.

Mr. WATSON. Do they deduct it from the next assessment of taxes?

Mr. MADDEN. Here is what they do: When they ascertain that a man has overpaid—this is a new innovation—they send a credit slip to the collector of the district in which the taxpayer resides. Then the collector must ascertain whether or not the taxpayer owes any taxes. If he owes any, instead of paying the taxpayer the cash they apply the credit to what he owes.

Mr. WATSON. That is for three years?

Mr. MADDEN. We have paid out \$102,000,000 since 1917 on the overpaid tax schedules. There is now pending in the Appropriations Committee a recommendation for an appropriation of \$42,000,000 more for this very same purpose. Now, let me say that every time we order the payment of a dollar on the overpaid schedules we collect \$12 on the underpaid schedules. Of course nothing comes before the House to show what is collected on the underpaid schedules.

It shows only what we pay, because we must legislate in order to authorize the payments, and as a matter of fact we are not only paying on overpaid schedules but we are collecting on underpaid schedules. We are collecting about \$300,000,000 a year on underpaid schedules and paying out perhaps \$100,000,000, or will be in the next year, on overpaid schedules, so that we will have a net credit of \$200,000,000 to the Treasury between the two proposals. This \$12,000,000 does not mean much of anything. It simply means that we are providing for the payment to the extent that it will apply.

Mr. WATSON. Does the new ruling work out satisfactorily?

Mr. MADDEN. Oh, yes.

Mr. BRIGGS. Mr. Chairman, will the gentleman from Illinois yield?

Mr. MADDEN. Yes. Mr. Chairman, I shall take the floor in my own right.

Mr. BRIGGS. The gentleman from Illinois made mention of the fact that there is about \$42,000,000 yet to be provided, for the return of overpaid taxes.

Mr. MADDEN. There is a recommendation before our committee for legislation to that effect.

Mr. BRIGGS. The gentleman's committee is expected to act upon that at an early date?

Mr. MADDEN. Some time between now and Christmas.

Mr. BRIGGS. Will that money when provided, if it should be recommended by the gentleman's committee, become immediately available for the payment of those sums?

Mr. MADDEN. It will.

Mr. HAWLEY. And what interest is allowed to those who have overpaid their taxes?

Mr. MADDEN. Six per cent from the date of the approval of the claims. We try to report the appropriations as rapidly as possible for these payments, because we do not want the Government to have to pay any interest, and we are also anxious to pay those to whom money is due.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For pay and allowances, prescribed by law for commissioned officers, cadets and cadet engineers, warrant officers, petty officers, and other enlisted men, active and retired, temporary cooks and surfmen, substitute surfmen, and one civilian instructor, \$8,300,000, of which \$640,000 shall be immediately available, and not to exceed \$397,000 of the amount appropriated for the fiscal year 1923 for "Rations, or commutation thereof," is hereby transferred and made immediately available for expenditures for "Pay and allowances."



Mr. BYRNS of Tennessee. Mr. Chairman, I move to strike out the last word for the purpose of calling the attention of the committee to the fact that this paragraph contains an item making \$640,000 of the appropriation proposed for 1924 available for expenditures during the present fiscal year of 1923. Yesterday I took occasion to call attention to what I believe to be a very bad practice into which the Bureau of the Budget is falling in recommending to Congress appropriations to be made immediately available. Gentlemen will recall that yesterday we passed a paragraph which made \$200,000 in the customs service immediately available. That with this makes \$840,000 which has been added to the appropriations for 1923; and I dare say that after this bill is passed, if any Member of Congress should undertake to go back and investigate in order to determine just how much has been appropriated for these two services for 1923 he would overlook these two items, certainly, unless he took the pains to go through every appropriation bill passed at this session.

This is not the only case in which the President and the Bureau of the Budget have made such a recommendation. As I said yesterday, the President has recommended—and I take it that the committee will so report—an item in the Department of the Interior bill making something over \$20,000,000 immediately available in the Pension Bureau for expenditures during this year. Gentlemen will recall one of the reasons advanced for the passage of the Budget law was to prevent this practice. The practice had grown up during previous years in every appropriation bill of making funds appropriated for the succeeding fiscal year immediately available for expenses during the year in which those bills were passed. The result was that it was absolutely impossible for anyone, without an immense amount of work and without reading numerous appropriation bills, to ever satisfy himself as to just how much had been appropriated for different services in any particular fiscal year.

I had hoped that the Bureau of the Budget would not fall into that practice, and I had particularly hoped that the present very efficient Director of the Bureau of the Budget would realize what a bad practice it is to adopt that sort of thing, so severely condemned in the past, and that we should have a deficiency bill instead of the practice of making funds immediately available. This is nothing more nor less than a deficiency, and there is no reason why an estimate should not have been submitted to the Congress asking for a deficiency of \$640,000 and have it appropriated in a deficiency bill, so that Members of Congress would know just what is being appropriated.

This paragraph appropriates \$8,300,000 for this particular service of the Government during the fiscal year 1924. We must assume that the committee reported that sum because it thought that sum was necessary for the year 1924. If it is not necessary, then the committee ought to have reduced it; but we are here in the same paragraph taking from the sum of \$8,300,000 which the committee says is necessary for 1924 the sum of \$640,000 for use during this year. Then when we come to pass the appropriation bill for 1925 we will under this practice have to take care of this sum for 1924, and so on during the years following. The result will be that no one will ever be able to know just what is being appropriated for a particular service during any given year.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. I think this is a very bad practice, and I have called attention to it in this public way so that it may be brought to the attention of the Director of the Budget with the hope that hereafter when he submits his estimates he will submit them for the purpose stated and will not ask Congress to make deficiency appropriations in this indirect and improper way.

Mr. HAWLEY. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. HAWLEY. Are any of these amounts referred to due to legislation passed by the Congress subsequent to the enactment of the last appropriation bill, or are they deficiencies pure and simple?

Mr. BYRNS of Tennessee. This is for commissioned officers, and due to legislation, but I submit to the gentleman that that does not remove the objection that I make, because it would be a very proper item for a deficiency bill.

Mr. HAWLEY. Is the \$20,000,000 item to which the gentleman has referred, to be asked for by the Interior Department,

due to legislation passed since the last appropriation bill was enacted?

Mr. BYRNS of Tennessee. I do not know whether legislation was passed since the last appropriation bill was passed or not, but whether it was or not there is no reason why it should not have been submitted in a regular way as a deficiency and presented to the Congress, so that the Members would know exactly what they were appropriating. When you hide items as they are hidden here in this paragraph and the one preceding, Members of Congress are unable to determine just what is being appropriated from year to year for particular services. That is the point of my objection.

Mr. THORPE. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the Record.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HILL. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the Record.

The CHAIRMAN. Is there objection?

Mr. KETCHAM. Mr. Chairman, I object.

The Clerk read as follows:

For rebuilding and repairing stations and houses of refuge, temporary leases, rent, and improvements of property for Coast Guard purposes, including use of additional land where necessary, \$250,000.

Mr. GRAHAM of Illinois. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee, with reference to this Coast Guard appropriation, what consideration did the committee give to a further appropriation which may be made necessary by the bill which the House was considering the other day?

Mr. MADDEN. None at all.

Mr. GRAHAM of Illinois. Does the gentleman have any information as to whether any additional amount will be required?

Mr. MADDEN. I notice that the gentleman's committee chairman said that the cost of the bill would be \$13,000. If that is what it amounts to we need not take it into consideration in this bill, because they will undoubtedly have unexpended balances here.

Mr. GRAHAM of Illinois. I notice that. Of course, I was not in harmony with the bill myself.

Mr. MADDEN. Of course we could not take that into account now. We do not take anything into account until it is submitted to us by the Budget Director.

Mr. GRAHAM of Illinois. And up to this time the gentleman has no official notice that there will be a deficiency asked?

Mr. MADDEN. No.

Mr. TILSON. Mr. Chairman, I wish to make just a few remarks on the same subject as that upon which the gentleman from Tennessee [Mr. BYRNS] has spoken. It would seem to me that we ought to try in every way to simplify our appropriation laws. It has been one of the chief evils of rider legislation that all sorts of legislation when enacted must be looked for in all sorts of places; in other words, it adds greatly to the difficulty of locating the law. When it comes to appropriations it is equally an evil. We have deficiency appropriations passed every year, and the word "deficiency" does not mean necessarily that there has been a failure on the part of the Committee on Appropriations properly to estimate expenditures for that particular purpose for that year, but deficiency in a parliamentary sense means simply an appropriation to be expended during the current or a prior fiscal year. There is no discredit in bringing in a deficiency item, if legislation has been enacted during the current year which creates the deficiency. In such cases, of course, the Committee on Appropriations can have no possible knowledge as to what appropriation the legislation will call for.

Mr. BLANTON. Will the gentleman yield right there?

Mr. TILSON. I will yield.

Mr. BLANTON. But where it is known for months that there are deficiencies like the \$24,000,000 for the pension department and the \$42,000,000 for the internal revenue department that must be brought here right away in a deficiency bill, in commenting upon probable expenditures of the Government that should be properly taken into consideration.

Mr. TILSON. They will be in the end. I am speaking now only for a simplification of our appropriation acts. All such appropriations are eventually rounded up and brought together, but it entails a lot of work, and there is apt to be confusion in the minds of people in attempting to arrive at the aggregate of annual appropriations. In my judgment it ought not to be in order, if anyone makes the point of order against it, to make an appropriation immediately available. The subject of the appropriations in this bill, for instance, is "Appropriations for the Treasury Department for the fiscal year



ending June 30, 1924," and any appropriation for a different department or for any other period than the fiscal year 1924 should not be in order.

Mr. FESS. Will the gentleman yield?

Mr. TILSON. I will yield to the gentleman from Ohio.

Mr. FESS. The practice was, as I think my colleague will remember, that estimates would be brought in and denied in the amount which was asked, and then they proceeded on the basis as if they had gotten them, and when they had spent the amount of money they got, the deficiency would come in. Is that practice still continuing?

Mr. TILSON. I do not know how far that practice has been eradicated, but it ought to be, root and branch. I think we ought, in the interest of economy and good government, to confine appropriations in any particular bill to the particular objects and the particular period for which it purports to appropriate.

I think it was a great advance when we adopted the present scheme of appropriations by departments. I think it a very great advance, because the same department would come to a half dozen different appropriating committees and get a little or big appropriation, if they could, from each one, and no committee would know exactly what the other committee had done. I think that we should go one step further, so that no appropriation would be in order except for the fiscal year for which the bill purports to appropriate. The point of order would then lie if the appropriation is made immediately available. I hope that the Director of the Budget will take this view of it in presenting the Budget hereafter.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. I am very glad to have these gentlemen offer their criticisms. I feel exactly as they do about this proposition. Here we have two very important things that seem to be pressing that justified a departure from the ordinary practice. We had just passed the tariff act. They wanted money. They can not take the commodities off the docks and have them passed upon by the experts with their present force. It will take some time to pass a deficiency bill. It was thought that by making the money immediately available in this bill they would get the money a little sooner. Then came this other meritorious question of the Coast Guard, to whose membership everybody's heart goes out. An act was passed increasing their pay last June. They were not able, of course, to get that increased pay. They are all poor men and need the money, and yet we can not pass a deficiency bill for some time to come. I do not favor the practice and would not. I have refused, as chairman of the Committee on Appropriations, to grant requests made for appropriations to be made immediately available in many other cases.

It may be that occasionally we will think that the justice of the case makes it of sufficient importance to act, but wherever it can be avoided it should be. Unless there is some great hardship caused by the delay, I intend to follow out the suggestion made by my friends here on the floor, because, after all, I recognize myself as a servant of the House, and I shall tell the Director of the Bureau of the Budget in the future that we do not want any recommendations of the sort that appears in this bill.

Mr. REED of West Virginia. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. REED of West Virginia. You say the Coast Guard personnel would not receive the increase that was granted them by law?

Mr. MADDEN. They received the increase, but they did not get the money.

Mr. REED of West Virginia. It will be retroactive and go back?

Mr. MADDEN. Yes; it will go back to the time it was authorized. We are now appropriating the money.

Mr. REED of West Virginia. They will get it absolutely? It will go back?

Mr. MADDEN. Yes. There is no question about that. They will look after that.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

Mr. BLANTON. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Texas moves to strike out the paragraph.

Mr. BLANTON. Mr. Chairman, I think, after the remarks of the gentleman from Connecticut [Mr. TILSON], the parliamentary situation ought to be recited in the Record. The gentleman from Connecticut was instrumental in following at

one time, when he was Chairman of the Committee of the Whole House on the state of the Union, a very noted decision made by Mr. Speaker Carlisle, who, as is known, was a distinguished parliamentarian, when he held that the membership of the House have the right, when they are called upon here in the committee to consider an appropriation bill, to depend upon the fact, first, that there is no matter of legislation in the bill, and, secondly, that there is no deficiency item in that bill. They have a right to depend upon that, and when the Committee on Appropriations brings in an appropriation bill, neither the chairman himself nor any member of it has any more right than anyone else to offer an amendment on the floor of an item that is either a deficiency or an item of legislation.

That was the ruling of Mr. Speaker Carlisle, and the gentleman from Connecticut [Mr. TILSON], who is one of the greatest parliamentarians in the present House, followed the decision of Mr. Speaker Carlisle, and it remained the decision of this committee for many months and years, and only lately, since the reorganization scheme was adopted in regard to appropriation bills, has that ruling been changed. The question then came up while the gentleman from Ohio [Mr. LONGWORTH] was in the chair, and upon reviewing the question he overruled the decision of the gentleman from Connecticut, and held that inasmuch as under the reorganization of the Committee on Appropriations it has the general power to bring in all appropriation bills, it has the right to put a deficiency item upon an appropriation bill.

There is the parliamentary situation. I think we ought to go back to the decision of the gentleman from Connecticut and the decision of Mr. Speaker Carlisle on that proposition, because if we give this Committee on Appropriations, already having most of the powers of the House, the extra power of bringing in here on every single appropriation bill items of legislation or items involving a deficiency, we shall get into the confusion that has been referred to. There has not been a single appropriation bill brought in by this committee since that rule was changed that did not contain some item making appropriations immediately available; not in separate deficiency bills, where the membership can expect them, but on an appropriation bill; and I hope the committee will wake up some day and overrule the decision of the gentleman from Ohio and go back to the decision of the gentleman from Connecticut.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For repairs to Coast Guard cutters, \$375,000.

Mr. WATSON. Mr. Chairman, how many cutters are there in the service?

Mr. MADDEN. Seventy-five vessels.

Mr. WATSON. Are they under the control of the Internal Revenue Bureau?

Mr. MADDEN. No; of the Coast Guard.

Mr. WATSON. Is this \$375,000 appropriated to the Internal Revenue Bureau to take care of the Coast Guard?

Mr. MADDEN. This is not under the Internal Revenue Bureau.

Mr. WATSON. It is under the internal revenue section.

Mr. MADDEN. No; it is a new section.

Mr. WATSON. The internal revenue has nothing to do with it?

Mr. MADDEN. Not at all.

Mr. WATSON. Are not those vessels all very old?

Mr. MADDEN. Not at all. They have some very new vessels.

Mr. WATSON. The testimony before the committee some time ago was to the effect that they were old and unfit.

Mr. MADDEN. No. Some of the vessels are old. They used to go up to the Arctic regions. They are trying to rebuild them, but we did not authorize them to be rebuilt or repaired.

Mr. WATSON. They got some more recently?

Mr. MADDEN. They got some from the Shipping Board and repaired some old ones, and now all of them are in a good state of repair.

Mr. WATSON. What vessels are used to look after bootleggers on the high seas? Do these have that work to do?

Mr. MADDEN. This has nothing to do with that.

Mr. WATSON. What department looks after the bootlegging? I did not know but that the coast line vessels are also in that service.

Mr. MADDEN. That is all done by the Prohibition Enforcement Bureau.

Mr. WATSON. Where do they get the boats from?

Mr. MADDEN. They have boats of their own, or they may get the use of them from the customs service. They cooperate



with the customs service. The customs service has boats in all the ports.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Total Coast Guard, exclusive of commandant's office, \$11,328,100.

Mr. MADDEN. Mr. Chairman, quite a number of gentlemen, some opposed and some in favor of the provision of the bill embraced in the item for the Bureau of Engraving and Printing, wanted to go away this afternoon, some to hear Monsieur Clemenceau and some for other purposes. Before they left they asked me if I would try to get consent to pass over the item for the Bureau of Engraving and Printing until to-morrow. I ask unanimous consent to be permitted to do that and to proceed with the balance of the bill.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to pass over the Bureau of Engraving and Printing item, to be called up later, and proceed with the reading of the bill, beginning on page 35, Secret Service. Is there objection?

Mr. MADDEN. From line 21, on page 31, to line 12, on page 35.

The CHAIRMAN. Is there objection?

Mr. BLANTON. Will that come up to-morrow?

Mr. MADDEN. Yes.

Mr. BLANTON. It will not come up this evening?

Mr. MADDEN. No; to-morrow.

Mr. ZIHLMAN. Mr. Chairman, reserving the right to object, I should like to ask the chairman of the Committee on Appropriations if it is his intention to bring this up immediately after the reading of the Journal to-morrow?

Mr. MADDEN. Immediately after the reading of the Journal, and I think it is only fair to say that if the Members want considerable time in which to discuss it I will have no objection to that.

Mr. ZIHLMAN. I have no objection.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Suppressing counterfeiting and other crimes: For expenses incurred under the authority or with the approval of the Secretary of the Treasury in detecting, arresting, and delivering into the custody of the United States marshal having jurisdiction dealers and pretended dealers in counterfeit money and persons engaged in counterfeiting, forging, and altering United States notes, bonds, national bank notes, Federal reserve notes, Federal reserve bank notes, and other obligations and securities of the United States and of foreign Governments, as well as the coins of the United States and of foreign Governments, and other crimes against the laws of the United States relating to the Treasury Department and the several branches of the public service under its control; hire and operation of motor-propelled passenger-carrying vehicles when necessary; per diem in lieu of subsistence, when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, and for no other purpose whatever, except in the protection of the person of the President and the members of his immediate family and of the person chosen to be President of the United States, \$415,000: *Provided*, That no part of this amount be used in defraying the expenses of any person subpoenaed by the United States courts to attend any trial before a United States court or preliminary examination before any United States commissioner, which expenses shall be paid from the appropriation for "Fees of witnesses, United States courts": *Provided further*, That no person shall be employed hereunder at a compensation greater than that allowed by law, except not exceeding three persons, who may be paid not exceeding \$12 per day.

Mr. KELLY of Pennsylvania. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee concerning this appropriation of \$415,000 for the Secret Service. How does that sum compare with the appropriations for that service for the last five years?

Mr. MADDEN. I think it is about \$10,000 one way or the other, either \$10,000 under or \$10,000 over the last appropriation.

Mr. KELLY of Pennsylvania. I have seen statements made that it is a considerably larger amount than was appropriated formerly.

Mr. MADDEN. For 1922 we had \$400,000 and for 1923 \$390,000.

Mr. KELLY of Pennsylvania. But go back to 1917.

Mr. MADDEN. In 1917 it was \$200,000; in 1918, \$275,000; in 1919, \$300,000; in 1920, \$325,000; in 1921, \$400,000, and so on.

Mr. KELLY of Pennsylvania. In 1917 it was \$200,000. Here is an increase since that time of \$215,000. There are various published reasons for that great growth. One is that which was called to the attention of the American Bankers' Association, a convention of 11,000 bankers meeting in October, that the increase in counterfeiting is due to poorer materials and workmanship in turning out securities, notes, bills, and so forth. The bankers' convention, as I understand it, went on record asking Congress to order a return to the methods of manufac-

ture in use prior to 1917. I should like to ask the chairman of the committee whether in his estimation that resolution was justified?

Mr. MADDEN. Before the war all the paper money used in the United States was made from linen. During the war we had to go to all cotton. Of course, cotton does not make very good paper money. After the war we were able, first, to go to 25 per cent linen and 75 per cent cotton; then last year we went to 50 per cent linen and 50 per cent cotton. This year we are getting 75 per cent linen and 25 per cent cotton, and next year they hope to go back to all linen. They used cotton because they could not get the linen. Now, if there were any defects it was due to the kind of material of which the paper was made. That is what they tell us. The information which I have received from experts is that the quality of the printing depends mostly on the quality of the engraving of the plate. If the engraving is poor, of course the printing will be poor. If they have a high-class printer he can make a better job of printing from a poor plate than a poor printer would, but as a rule where there is defective printing it is due to the imperfect plates.

Mr. KELLY of Pennsylvania. Then, in the gentleman's opinion, this \$215,000 increase in the appropriation is due to defects in the material?

Mr. MADDEN. No. The gentleman is referring now to counterfeiting?

Mr. KELLY of Pennsylvania. I am referring to the money spent for detecting counterfeiting.

Mr. MADDEN. I will say that the great amount of counterfeiting that has taken place is not due to defective printing but is due to the greater perfection of the art of photography than has heretofore existed. They say there is no danger whatever of counterfeiting the money made on any of these plates as far as defects in the printing is concerned, but it is because of the development in the art of photography that counterfeiting has become more prevalent than it was in the past.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BYRNS of Tennessee. This increase of \$215,000 to which the gentleman from Pennsylvania refers is not made solely on account of the increase in counterfeiting?

Mr. MADDEN. Oh, no.

Mr. BYRNS of Tennessee. It is made on account of the increased duties of the Secret Service. They have many other duties besides the enforcement of the law against counterfeiting.

Mr. KELLY of Pennsylvania. I understood that a great part of it was due to the increase in counterfeiting.

Mr. BYRNS of Tennessee. I dare say some of it was due to that; but not all of it by any means.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. I should like to have one minute more in order to answer more fully the questions asked by the gentleman. We had Mr. Moran, Chief of the Secret Service, before our committee, and in the course of his examination Mr. MAGEE asked him this question:

What I had in mind was that ordinarily a man who counterfeits is skillful in the work and he imposes on some innocent person for value received, while in this case, of course, he passes counterfeit money to a violator of the law.

We were talking about prohibition. Mr. Moran made this answer:

With reference to the skillfulness a large percentage of the counterfeit issues of to-day are clearly the work of amateurs. They are not to be compared with the output of the old counterfeiter who hand engraved. The grade is very much cheapened. To-day they do not resort to the old hand-engraved work. You do not find in circulation to-day a hand-engraved piece of work. It is all of the mechanical process.

Mr. MAGEE. And they are counterfeit notes which are more easily detected?

Mr. MORAN. They should be; but for some reason they obtain a ready circulation. I have stated there were two reasons for it, ignorance and carelessness. That practically sums it up.

It is not the engraving which causes the increase in counterfeiting, but the greater perfection in the art of photography.

Mr. KELLY of Pennsylvania. Of course, thousands of innocent persons are being victimized, and should be protected if we can do it.

Mr. MADDEN. Yes; but the plate printing has nothing to do with it.

Mr. BLANTON. Mr. Chairman, I rise in opposition to the pro forma amendment. Since the chairman of the committee made his speech yesterday and called attention to the fact, just as he has done now, that counterfeiting does not follow the use of the power presses, and that as chairman of the Committee on Appropriations he and his committee were going to put the public interest above the interest of any organization



employed in the Bureau of Engraving and Printing, and precluding the President's speech of this morning when he said the same thing, that he was going to put the interest of the public above the interest of any particular organization, we find in to-day's press the following:

**ZIHLMAN TO FIGHT ENGRAVING CHANGE—CHAIRMAN OF LABOR COMMITTEE TO OPPOSE SUBSTITUTING POWER FOR HAND PRESSES—PRINTERS ATTACK PROPOSAL—DECLARE TREASURY PLAN WOULD TEND TO INCREASE THE POSSIBILITIES OF COUNTERFEITING.**

[Washington Post, Friday, December 8, 1922.]

Lines were drawn for a battle in the House over the provision of the Treasury Department appropriation bill which proposes to substitute power presses for hand presses in the Bureau of Engraving and Printing, thereby reducing the plate printing force by 220 workers.

Andrew J. Fallon, president of the plate printers union, and Frank J. Coleman, editor of the Plate Printer, were at the Capitol yesterday urging Members to have the controverted provision referred to the Committee on Printing, so that public hearings may be held.

Then they go on to say the question of preventing counterfeiting and economy is why they want this matter changed. We are not going to be able to escape the real question tomorrow morning when this matter comes up. The paper says that they have our friend from Maryland [Mr. ZIHLMAN] prepared to make a point of order against the provision. I do not blame the gentleman from Maryland; he represents their interests. He is their spokesman, carrying out their ideas in asking that this be stricken from the bill. I do not blame him at all. He is doing what they and some of his constituents expect of him.

But I want to say that you can not do it on account of economy. You can not do it on the assertion that it is going to produce more counterfeiting, because the chairman has exploded that idea. He showed yesterday and in his remarks a few minutes ago that Chief Moran, of the Secret Service, and others testified before the committee that the use of power presses could have no effect whatever on the question of counterfeiting. So if we take that action of continuing the use of hand instead of power presses as the representative of these two unions employed in the Bureau of Printing and Engraving have desired, if we do it in accordance with their desire to strike this section out of the bill we are not only making it cost the people of the United States \$750,000 more, and ultimately \$1,377,000 more annually, as testified before the committee, but we will be doing it simply on the demands of the union as against the interest of the people.

I am a loyal Democrat, I am a partisan Democrat, but I am with the Republican President of the United States in what he said this morning as to the interest of the whole people being paramount to that of any class. These little union bodies down in the bureau have dictated to Congress long enough, and the membership of this Congress ought to rise up and follow the gentleman from Illinois [Mr. MADDEN] and his committee in adopting the provision in this bill. [Applause.]

The Clerk read as follows:

For medical examinations, including the amount necessary for the medical inspection of aliens, as required by section 16 of the act of February 5, 1917, medical, surgical, and hospital services and supplies for beneficiaries (other than patients of the United States Veterans' Bureau) of the Public Health Service, and persons detained under the immigration laws and regulations at Ellis Island Immigration Station, including necessary personnel, regular and reserve commissioned officers of the Public Health Service, personal services in the District of Columbia and elsewhere, maintenance, minor repairs, equipment, leases, fuel, lights, water, freight, transportation and travel, maintenance and operation of motor trucks and passenger motor vehicles, transportation, care, maintenance, and treatment of lepers, court costs, and other expenses incident to proceedings heretofore or hereafter taken for commitment of mentally incompetent persons to hospitals for the care and treatment of the insane, and reasonable burial expenses (not exceeding \$100 for any patient dying in hospital), \$4,869,925: *Provided*, That the Immigration Service shall permit the Public Health Service to use the hospitals at Ellis Island Immigration Station for the care of Public Health Service patients, free of expense for physical upkeep, but with a charge of actual cost for fuel, light, water, telephone, and similar supplies and services, to be covered into the proper Immigration Service appropriations; and moneys collected by the Immigration Service on account of hospital expenses of persons detained under the immigration laws and regulations at Ellis Island Immigration Station shall be covered into the Treasury as miscellaneous receipts: *Provided further*, That no part of this sum shall be used for the quarantine service, the prevention of epidemics, or scientific work of the character provided for under the appropriations which follow.

Mr. TILSON. Mr. Chairman, I reserve a point of order on the paragraph. I wish to ask the gentleman from Illinois about this new language, the proviso beginning at line 23 at the bottom of page 38. Will the gentleman explain what the reason is for this legislation?

Mr. MADDEN. We carried this provision in the deficiency bill for 1923, and we did that because when the Veterans' Bureau was transferred to the Public Health Service—that is, the hospital that had been conducted by the Veterans' Bureau—under the order of the President there was a question whether

the Public Health Service could use the hospital on Ellis Island. We had then reached the point where we had to decide the question, because by the end of June the Public Health Service would have the responsibility of doing something and they would have no place in which to do it. That is all this does, it gives them the right to use the hospital. They have been doing it all the time. The comptroller decided that they had no right to do it under the law, and we corrected the decision of the comptroller by giving them the right under the law.

Mr. TILSON. Does not the gentleman think it ought to be permanent law?

Mr. MADDEN. Well, it will be permanent law.

Mr. TILSON. I do not so read it here.

Mr. MADDEN. We did not put such a provision in the bill because we had no authority to do so.

Mr. TILSON. It would be all right unless some one made the point of order against it.

Mr. MADDEN. Well, we can try that next year.

Mr. TILSON. Mr. Chairman, I withdraw the reservation.

ELLIS ISLAND.

Mr. CABLE. Mr. Chairman, press reports from London carry the story that Roland McNeill, undersecretary of foreign affairs, on Wednesday of this week in the House of Commons protested against the treatment of English immigrants at Ellis Island. The statement, in part, reads:

McNeill said conditions there were evidently adapted for persons of a very low standard of living.

Mr. McNeill's chief objection, as I read from the press reports, was based on the fact that the United States Government fails to furnish English immigrants with "separate rooms and bath." It would be well for Mr. McNeill to study with purpose of improvement their own immigrant hotels.

I know that the immigrant station at Ellis Island is ideal in location and general arrangements and sanitation and for its solicitation of the welfare of immigrants.

It might also be well for Mr. McNeill and Great Britain, in their solicitude for their subjects, to see whether or not the British steamship companies separate the British subjects from other foreigners on their way over; whether or not, as is commonly being reported, steamship companies are selling first and second class tickets to immigrants and bringing them over third class. There seems to be no protest of McNeill against these practices, and yet relatives of immigrants complain of this state of affairs.

I can not understand how these particular people can travel from 7 to 14 days in steerage accommodations on the steamships, and do so willingly, and then suddenly develop the most acute culture and sensibilities as soon as the Statue of Liberty comes in view; how they will travel across the ocean with foreigners of all nations and develop the greatest hostility to them on Ellis Island; how they accept the table accommodations and food on the steamship, but object as soon as they enter the well-ventilated, sanitary, and clean dining room at Ellis Island; how they obey willingly the orders shouted at and to them by steamship employees and as soon as they step their foot on Ellis Island become exponents of freedom and resent America's right to make laws for herself and for the protection of American citizens; how, finding the economic conditions so unfavorable in their own country, particularly the million or more unemployed in Great Britain, that they are willing to sell all they possess and come to America and seek to take advantage of our free education, the opportunity to escape class distinction, and immediately, even before permitted to enter this country, begin to abuse it by claiming rights superior to the nationals of other countries.

Congress passed laws to permit them at Ellis Island to apply for admission. The right of admission is determined by showing proper qualifications at Ellis Island, and these qualifications must be determined from an American, not an English, standpoint. Their admissibility should be solved for the benefit of America, not for Europe, or for the foreigners who flock here and whose coming will eventually result in forming, to a great extent, America's policies. The immigration problem is one of the first problems of America.

The effectiveness of the work at Ellis Island is one of the chief factors in determining our country's future. The admission of mentally, morally, or physically unfit into this country, even in small numbers, would, in the future, weaken our Nation and place a huge burden upon generations to come. Millions of dollars each year must now be raised by the various States for the maintenance of foreigners heretofore admitted and now confined in State institutions. The United States must of necessity have a force of intelligent, well-paid, efficient employees at Ellis Island.



I was privileged to visit Ellis Island last week and study the conditions there. Am proud to report that the commissioner of immigration there is Robert E. Tod, who was persuaded through patriotism to accept that position. He is a college graduate, a retired business man. He was enrolled in the United States Navy in March, 1917, and has a war record of which he can be justly proud. He was first appointed naval port officer of Brest, France, and later appointed public works officer for the Navy for the whole of France, and for his service during the war was recommended by General Harries and awarded the Army distinguished-service medal. Mr. Tod received a citation signed by General Pershing for his services to the Army.

Admiral Wilson recommended him for the Navy distinguished-service medal and he was awarded the Navy cross.

Mr. Tod also received the chevalier of the Legion of Honor from the French Government, and also the officer of the Legion of Honor from the French ambassador in Washington. He held the rank of commander on being retired to inactive duty.

I mention this to show the class of man who now is commissioner of Ellis Island. The same spirit of patriotism that caused Mr. Tod to join the Navy during the war also induced him to accept the present position he now holds. Upon accepting the appointment, at his own expense, he went abroad and studied the immigration conditions in Europe, and from investigation I made at Ellis Island I find there is no one devoting so much work and effort for the good of the service at Ellis Island. His assistant, Mr. Landis, is a highly qualified and capable man.

The Public Health Service at Ellis Island is represented by Dr. William C. Billings, who has served for about 25 years as a commissioned officer in the Public Health Service and now holds the rank of major. Assisting him is Doctor Corput, also an experienced physician and surgeon, who has charge of line inspection. The Public Health Service maintains one of the largest and best-equipped hospitals for the benefit of the immigrants and for the protection of the American people at Ellis Island. The hospital is well equipped, maintaining a high standard of professional care and treatment.

Mr. RAKER. Will the gentleman yield?

Mr. CABLE. I will yield.

Mr. RAKER. Is it not a fact that the accommodations for immigrants at Ellis Island are first class?

Mr. CABLE. Ellis Island, so far as I have ascertained, is the best equipped of any immigration station in the world. Great Britain would do well to use it as a model.

Two steamships came into port at 12.01 the morning of December 1 in order to have their passengers come within the December quota. I was on the island that day. The immigrants were loaded onto barges and transferred to Ellis Island. Here they receive their physical and mental examination through the officials of the Public Health Service and the immigration department. I might add that these officials are all loyal, serving at too low a compensation, but have the interest of the work and of the American people at heart.

Am glad to report that because of the 3 per cent law a more effective and careful examination of these immigrants is now made. Prior to the war their admission to the United States in some years averaged 100,000 a month. The examination was chiefly that of line inspection by the Public Health Service. If the appearance of the immigrant was good, he was given but little further examination. However, the Public Health Service now makes a separate and careful examination of the immigrants seeking admission because the number coming to the island each month is greatly reduced. If the immigrant passed the physical examination, the literacy test, and other requirements, and comes within the quota, he is permitted to land. On the other hand, if the immigrant is held for further examination every facility possible is offered him. For example, there are 17 different organizations represented on Ellis Island, with offices in the buildings there, that look after his needs. Many of the racial groups are represented by individual societies, such as the Italians, Irish, and Hebrew; and by societies representing no racial group, as the National Welfare Catholic Council, which represents the Catholics of every race; the Y. M. C. A.; the Y. W. C. A.; the W. C. T. U.; the Presbyterian Board of Missions; the Congregational Board; the city missions; Bible societies; D. A. R.; and others. These organizations are doing splendid work and the spirit of their cooperation was manifest.

If an immigrant appears to be "clearly and beyond doubt" entitled to admission he passes over to the discharging quarters, where he is turned over to the agent of the authorized transport company or recognized representative. If, on the other hand, the alien does not appear to be clearly entitled to be admitted,

he must appear before one of the several boards of special inquiry, which goes into his case deliberately and thoroughly, giving him the right to appear and produce witnesses and testimony in his behalf. If the board of special inquiry holds against him, he then has the right of appeal from the decision of the board, in cases provided by the statute, to the Secretary of Labor, whose decision is final.

America to-day is no longer the melting pot of the world. In the earlier history of our country people of northern Europe came here because there was free land and homesteads upon which they could settle and remain as citizens of this country. Gradually, as this free land became exhausted, the class of immigration changed, larger numbers coming from southern Europe, congregating in the large cities and where the population was dense. They did not forget their old customs or language or their country itself. Of the 14,000,000 foreign born in the United States less than half are now American citizens. Seven hundred newspapers and magazines are to-day printed in foreign languages and being read by hundreds of thousands of these people. What America needs to-day is not additional immigration so much as that those who are now here, being protected by our laws and obtaining the privileges and benefits of our country, should themselves become American citizens.

Immigration to the United States should not be based upon numbers, but rather quality—and quality can not be determined entirely by the 3 per cent restrictive immigration law. The law permits a more thorough examination of those within the quota, however. The quality of the immigrant can best be determined by the intelligence test, now applied by the Public Health Service at Ellis Island in a limited number of cases. This test is not a theory; neither is it a new proposition. It was used by our Army in the recent war. Robert M. Yerkes, lieutenant colonel, United States Army, and one of the world's foremost psychologists, had charge of these examinations. They were given to our soldiers to determine their qualifications for various duties during the World War. The results were accurate and in agreement with the experiences of the officers. Thus the men were placed in positions where they were best qualified to serve. The tests were given to the soldiers in groups and consumed not to exceed an hour or two of time. The commanding officers were given the results, which would have taken six months to learn in ordinary routine of drills. So also by these intelligence tests were the officers selected from the various training camps of our country. The intelligence rating was useful in indicating the man's probable value in the service, and the records of many of these soldiers and officers during the war substantiate the accuracy of the tests.

If the intelligence test could be applied to all foreign born, either abroad or when they reach this country, the undesirable would not be able to pass our inspectors and could be detected and debarred. If these tests were made in the Army with results that were confirmed by actual record, why, with restricted immigration, can not these tests be applied to those who seek to enter this country? A broad line of demarcation could be established between those who should be debarred and those who should be admitted to this country. It is my firm belief that such intelligence tests will provide the only remedy toward the elimination of the criminal and the undesirable from the ranks of the immigrants seeking admission into the United States, and that it is the true rule of determining what additional immigrants should come here.

The immigration problem is one of vital interest to the American people. The United States stands for what, in its judgment, is the highest and best civilization in the world. Surely the United States Congress, rather than the British Parliament, has the right to determine who shall be admitted and the method and manner of such admissions to our country.

The Clerk read as follows:

Field investigations: For investigations of diseases of man and conditions influencing the propagation and spread thereof, including sanitation and sewage, and the pollution of navigable streams and lakes of the United States, including personal service, \$279,436.

Mr. HICKS. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question with respect to the pollution of waters. There has been a great deal of pollution of the waters in my district from ships that are carrying oil either as cargo or as fuel, and also because of the cleaning out of their engine rooms. Does the appropriation here include investigation of that sort of pollution of waters, or does it apply only to the pollution due to sewage and matters directly pertaining to the public health?

Mr. MADDEN. This applies to all waters used for human purposes. It applies to waters used on trains and to waters in rivers that may be polluted by sewage where the public health may be affected.



Mr. HICKS. I do not know whether or not the dumping of oil into a navigable stream would be considered detrimental to health, but it is detrimental to property. Does this investigation apply only to matters appertaining to health?

Mr. MADDEN. To health only, and the question about which the gentleman speaks is under consideration by the Engineer Corps of the Army.

Mr. HICKS. And entirely separate from this bill?

Mr. MADDEN. Yes.

The Clerk read as follows:

Rural sanitation: For special studies of and demonstration work in rural sanitation, including personal services, and including not to exceed \$5,000 for the purchase, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, \$50,000: *Provided*, That no part of this appropriation shall be available for demonstration work in rural sanitation in any community unless the State, county, or municipality in which the community is located agrees to pay one-half the expenses of such demonstration work.

Mr. ROACH. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. ROACH: Page 40, line 21, after the word "vehicles," strike out "\$50,000" and insert "\$100,000."

Mr. ROACH. Mr. Chairman, I invite the attention of the committee to the importance of rural sanitation, where it has been carried on under the appropriations heretofore made, and to express my belief that the appropriation carried in this bill is wholly inadequate to successfully carry on the splendid work which has been done during the past several years under this heading. Is it not true that the Department of Health and the Treasury Department concurred in the recommendation for this item of \$150,000, I will ask the chairman of the committee?

Mr. MADDEN. The Budget recommended \$50,000 to the committee.

Mr. ROACH. I am not asking about the Budget.

Mr. MADDEN. We do not know about anything except that which comes to us.

Mr. ROACH. It has been my information, since the chairman of the committee does not seem inclined to answer the question—

Mr. MADDEN. Oh, no; I want to answer the question. I simply say that we do not know anything about anything except that which comes to us.

Mr. ROACH. It is my information that the Health and the Treasury Departments have agreed on the recommendation of \$150,000 for carrying on the rural sanitation work; that they conceived that to be the irreducible minimum to effectively and successfully carry on the work under way, and that estimate has been reduced by the Budget to the amount carried in this bill of \$50,000. I invite the attention of the committee to the fact that in a large number of States this work has been economically and satisfactorily carried on. It will be observed that this bill has a limitation that the appropriation is available only to States which match it with a similar appropriation. I want to refer particularly to my own State of Missouri. The State legislature and the municipalities, together with other ways of raising revenue, not only matched the appropriation last year but cooperated on an average of 10 to 1 or more. Calling attention to the specific figures, the Federal appropriation for the State of Missouri was \$7,245, while we raised \$16,301.31, and I believe if gentlemen will refer to the table submitted by the Health Department, on page 426 of the hearings, they will find that their States generally averaged about the same. In the limited time I have, I have not time to discuss the value of this work, but I want to emphasize it and express the hope that the many States now engaged in this particular work, taking the benefits of this Federal appropriation, will assist in raising this appropriation up to the irreducible minimum called for by the Health Department. My amendment proposes to increase the amount to \$100,000. I appreciate that there are some reductions being made in this bill, but I am not willing to have it all taken off the rural sanitation appropriation.

Mr. MADDEN. Mr. Chairman, the gentleman from Missouri [Mr. ROACH] is a very attractive talker, and I am sure that he is very deeply interested in the subject of rural sanitation. I think his State displayed a very great deal of activity, and certainly a lot of influence, if it succeeded in getting seven thousand and odd dollars out of the \$50,000 appropriated for rural sanitation last year.

Mr. ROACH. But that is less than the amount that a number of States obtained; for instance, Illinois, the gentleman's own State.

Mr. MADDEN. You could not get very much out of \$50,000. That is all there was for the whole country, and this appropria-

tion is not made to be allotted to the States, and it is not allotted to the States. The limitation placed on the appropriation is to the effect that the demonstration work made by the Public Health Service in any particular case shall not be made except where the community pays half the expense of the demonstration. There is no allotment. It has never been intended that the Public Health Service should do all of this rural sanitation work, because that is a local function. What the Health Service does is, as far as it can, to educate by circular, demonstration, and in other ways the local communities as to what is best to be done. Let me give an example. In Virginia not long since in one of the counties where the sanitation was not very good there was a good deal of typhoid. One of the young doctors of the department went down there and met the people in the township where the typhoid existed. He delivered a lecture and they were very much pleased with the lecture. He then told the people of the community that he was going before the board of supervisors to ask them to make an appropriation to cover the needs of the community, and asked them to appear there on that day. He made his speech before the board of supervisors and thought he had convinced them.

The people who came from the district where he had made the speech two or three nights before antagonized the work that the Public Health Service man was proposing, because they said they did not want these dudes coming down from the Public Health Service telling them how they should spend their money. After the meeting was all over he persuaded them to have another meeting with him and let him make a few demonstrations. They held the meeting and he proved to them what could be done, and at the end of the year he was able, through their own efforts under his direction, to almost eradicate the typhoid. But there was not any money of any consequence spent out of the Federal Treasury for that purpose. That was spent by the local community. The \$50,000 is all the money we need for the kind of work to be done in respect to rural sanitation through the Public Health Service. The Public Health Service is not proposing to spend the money for sanitation. They are really writing circulars in most cases and delivering lectures in others.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. McLAUGHLIN of Michigan. I am not advised as to the particular kind of work done by the Public Health Service under this appropriation, but it strikes me that there must be duplication along these lines and similar lines.

For many years there have been appropriations carried in agricultural bills to enable the officers and employees of the Department of Agriculture to advise and suggest along these very lines.

Mr. MADDEN. These, of course, are scientific—that is, they are doctors—and they know a little more about certain things on certain lines.

Mr. McLAUGHLIN of Michigan. It is supposed men who go out from any department are competent to speak of the work they are sent out to do.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BANKHEAD. Mr. Chairman, I move to strike out the last word. I hope that members of the committee who are present will give their serious and favorable consideration to the amendment proposed by the gentleman from Missouri to increase this appropriation from \$50,000 to \$100,000. I happen to be in a position where I can testify to the invaluable services which are being rendered to the rural populations of the country by the activities of this rural sanitation division of the Public Health Service. I represent, I believe, a rather typical agricultural country in the South, with a number of mining communities that have no adequate health facilities, and a few years ago in the operation of these activities the department sent a number of its staff down there, some three or four physicians, experts on sanitation, and they made a thorough and complete survey of the entire county in which I reside. The mortality of that county, on account of the ravages of typhoid fever and other preventable diseases, had been very heavy. After this survey and actual consideration by these representatives of the rural sanitation division the mortality from these same complaints the succeeding year after their visit was reduced to a negligible ratio. And we, of course, naturally attributed that fine result purely and solely to the activities of those representatives. It is a rather amazing thing to me that we will sit here and deliberately vote millions and tens of millions and hundreds of millions of dollars for purposes of destruction in certain events for our Army and Navy, but when it comes to the question of undertaking to conserve the lives of the people of America, especially those who need it



most—those sections where they are deprived of the benefits of active medical societies and eleemosynary institutions for the prevention of those diseases—that we cut the appropriation to the very lowest minimum.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?  
Mr. BANKHEAD. Yes.

Mr. McLAUGHLIN of Michigan. Why are the people in those communities depriving themselves of this kind of service? Do they have no interest in regard to the appropriation of money to look after their own people?

Mr. BANKHEAD. Well, I know that is an old argument of the gentleman from Michigan; but I tell him that the purpose for which this service is established, as justified by the suggestion of the distinguished chairman of the committee, is not to undertake the performance of a purely local function in relation to the conservation of health, but that the Federal Government should occupy the position of stimulation and leadership as far as possible with a reasonable degree of expenditure, not only by literature and lectures but by the personal visitation of these experts themselves, and that is where the actual benefit comes in. The gentleman talks about why should the Government take charge of these activities, and he is a member of the Committee on Agriculture. Why is it we appropriate money for farm demonstration work? That is on a parity with this same proposition.

Mr. MADDEN. Does the gentleman make that statement on the theory that this is a cut?

Mr. BANKHEAD. I do it on the theory that you have not given these people as much money as they need.

Mr. MADDEN. All they asked.

Mr. BANKHEAD. Oh, no; you have not. That is where the distinguished gentleman is in error. He gives what the Budget said they ought to have; that is all.

Mr. MADDEN. We had these very people before us.

Mr. BANKHEAD. Does the gentleman assert that the Surgeon General of the United States Public Health Service and the Chief of the Bureau of Rural Sanitation have only recommended an appropriation of \$50,000?

Mr. MADDEN. They have not asked us for any more.

Mr. BANKHEAD. Did you have a hearing, and did they appear?

Mr. MADDEN. Yes.

Mr. BANKHEAD. That is not my information. My information is that in their report made to the Director of the Budget—the information which comes to me and what I rely upon is from an absolutely and entirely reliable source—they say they ought to have at least \$200,000 as a minimum.

Mr. MADDEN. Does the gentleman believe in giving every bureau just exactly what they ask?

Mr. BANKHEAD. I do not, and I have voted consistently to slash a great many appropriations, but I am very confident that this one ought to be increased.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The question was taken, and the Chair announced the yeas seemed to have it.

On a division (demanded by Mr. BANKHEAD) there were—ayes 12, yeas 22.

So the amendment was rejected.

The Clerk read as follows:

For incidental and contingent expenses, \$1,000.

Mr. WILLIAMSON. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WILLIAMSON: Page 45, after line 2, insert a new paragraph, as follows:

DEADWOOD, S. DAK., ASSAY OFFICE.

Salaries: Assayer in charge, who shall also perform the duties of melter, \$1,800; assistant assayer, \$1,200; in all, \$3,000.

For wages of workmen and other employees, \$1,000.

For incidental expenses, \$300.

Mr. WILLIAMSON. Mr. Chairman, I ask unanimous consent that I may proceed for 10 minutes if necessary. I think I can finish in less time than that.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. WILLIAMSON. Mr. Chairman and gentlemen of the House, I am inclined to think that the Deadwood assay office was left out of the Treasury appropriation bill now under consideration by the Appropriations Committee by reason of their not realizing fully the importance of maintaining this

office. I observe from the hearings in connection with the Deadwood assay office that the only testimony with reference to whether it should or should not be retained is that offered by Miss O'Reilly, who, I understand, is an employee in the office of the Director of the Mint, in which she testified that only 10 deposits had been made during the past year in the Deadwood office. The truth of the matter is that this has very little to do with the question of whether an office should or should not be retained. The value of the office is to be measured by the services which it renders to the community in which it is located.

The Black Hills section is one of the richest mining regions in the United States, the production of gold alone during the past 20 years averaging close to \$7,000,000 annually. The production of silver, while not large, amounts on an average to at least \$100,000 a year. Various other metals and ores are also mined in the hills. There are a good many prospectors and small mining companies to whom the assay office is very essential in order to permit them to conduct their operations in any satisfactory manner. The prospectors can ill afford to send their samples away for assaying, and to discontinue this office is to discourage the revival of mining, which is now taking place in the Black Hills.

The income of the office, while not large, is greater than that of a number of the offices which are being retained in the bill, so there is no justification on that score for discontinuing the office. The value and utility of the office should be measured primarily by the number of assays made during the year, which, in the case of the Deadwood office for the year 1922, was 1,194 for the precious metals and 136 for the base metals, making a total of 1,330.

As the Members of the House know, the Black Hills region in South Dakota is one of the most important mining regions in the United States. The bullion produced within 6 miles of the Deadwood office amounts to around \$8,000,000 annually. It is the only commercial assay office in that territory, and if it is discontinued prospectors will have to send their ores to Denver, Colo., many hundred miles away, causing great inconvenience, expense, and delay.

For the information of the membership permit me to read a telegram, under date of December 6, which was sent to me by the assayer in charge in response to an inquiry which I made for data:

DEADWOOD, S. DAK., December 6, 1922.

HON. WILLIAM WILLIAMSON,  
Member of Congress, Washington, D. C.:

Bullion valued at \$8,000,000 originating within 6 miles of this office is diverted by operation of Pittman Act. No commercial assay office nearer than Denver serving this territory if Deadwood office is closed. Deadwood office made during fiscal year 1922, 1,194 precious-metal and 136 base-metal assays. Mining industry here hard hit by present high cost of supplies, but one new property now started operating and two buildings insure double activity. While office does not directly show profit, it is big advantage to community at large. Appropriation less than for current year would be inadequate.

H. H. STEWART, Assayer in Charge.

The importance of the Deadwood assay office is not necessarily determined by the number of deposits received. At this office, according to the testimony, there were only 10 deposits of bullion made during the year 1922. If correct, this, of course, is a small number, but the fact of the matter is that the Pittman Act has diverted the silver and other bullion to the mints at Denver, New York, and elsewhere by reason of the fact that the local office can only pay the market price for silver, which at the present time is only 65 cents on the dollar, while the mints are authorized to pay \$1 an ounce for the silver.

Mr. RHODES. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMSON. Yes.

Mr. RHODES. The gentleman has made reference to the Pittman Act as affecting this office.

Mr. WILLIAMSON. Yes.

Mr. RHODES. I desire to ask the gentleman whether or not it is a fact that the Pittman Act will expire in the near future by reason of its own provisions?

Mr. WILLIAMSON. Yes. I called up the Director of the Mint this morning and he said that the act would expire by virtue of its own provisions in about 15 months, perhaps less. By the end of that time, at the present rate of purchase, all the silver bullion permissible under its terms will have been bought.

Mr. RHODES. Well, if that is true, then will the amount of work to be done by this office be necessarily increased or diminished?

Mr. WILLIAMSON. There is not any question but that it will be greatly increased, as it will then resume the purchase of silver upon the same terms as the mints. Being more accessible, the smaller operators will naturally patronize it.



Another thing to which I want to direct the attention of the House is the fact that there has been a considerable revival of mining activities in that region in the past year, and it is stated by those who are in position to know that the work of this office will be at least doubled during the next fiscal year. I think that in fairness to that district and for the encouragement of mining this office ought to be maintained.

Let me read another telegram here, from the Gold Feather Mining Co., which I received on November 7. It says:

DEADWOOD, S. DAK., December 7, 1922.

Representative WM. WILLIAMSON,  
House of Representatives, Washington, D. C.

We have invested a large amount of money in mine, and need mill in the Black Hills, which we are operating. It would work hardship on us and other mining companies to have the United States assay office abolished as it is the only assay office in this part of the country.

GOLD FEATHER MINING CO.

I have the same sort of a telegram, somewhat longer, from the Cutting Mining Co., which is as follows:

DEADWOOD, S. DAK., December 6, 1922.

Hon. WILLIAM WILLIAMSON,  
Member of Congress, House of Representatives,  
Washington, D. C.:

Mining industry, which is again coming to front, needs the Deadwood assay office. No commercial assay office closer than Denver. New mining companies now starting will increase business of this office several times. Closing of the office would be a severe blow to the mining industry, which has been so hard hit during the past few years and now just getting back on its feet. Our company now building oil flotation mill on property adjoining Homestake mine and on which we have spent \$175,000.

CUTTING MINING CO.,  
BURT ROGERS,  
General Manager.

Other telegrams received read as follows:

DEADWOOD, S. DAK., December 6, 1922.

Hon. WILLIAM WILLIAMSON,  
Member of Congress, Washington, D. C.:

It is felt in view of the fact that mining activities are reviving in this section the Deadwood assay office should be retained. To close it at this time would be discouraging to the revival of the mining industry.

DEADWOOD BUSINESS CLUB.

DEADWOOD, S. DAK., December 6, 1922.

Hon. WILLIAM WILLIAMSON,  
Member of Congress, Washington, D. C.

Strongly urge Deadwood assay office be retained. Is only commercial assay office nearer than Denver. Its loss would work hardship properties now operating and new ones starting. Estimated next year's business double this. While Deadwood office may show loss, this more than offset by benefit to mining industry, which bound to come back again here if every encouragement given.

FIRST NATIONAL BANK.

I hope the chairman will not oppose the reinstatement of this appropriation in the appropriation bill this year.

I ask unanimous consent, Mr. Chairman, to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. MADDEN. Of course, Mr. Chairman, the action of the Committee on Appropriations in recommending the elimination of this office was based on the statement of the Director of the Mint. It was said that there were only 10 deposits in this assay office; that the value of the gold and silver was only \$3,286; the income of the office was only \$566, and the expenses \$5,557.

Now, of course, \$8,000,000 of the silver bullion from the Homestead mine goes to other places, on account of the price of silver, under the Pittman Act. The Pittman Act expires, however, in about another year.

I asked the representative of the mint who appeared before the committee if there was any likelihood of any improvement in the value of the office, and she said "No." I asked if she thought the office ought to be abolished, and she said the Secretary of the Treasury recommended that. I asked her if she thought there was any sense in keeping the office open, and she said she did not want to say that. I said, "Put it any way you like," and she finally said, "I think the business of the Deadwood office has diminished considerably." Then I said, "You know that, do you not? Do you recommend the continuation of the office in the face of the fact that there were only 10 deposits? I realize that you do not control the policy, but your judgment is good." She said, "I would recommend the closing of the office, but I think I am in a rather awkward position in recommending the closing of the office." I said, "If this is closed up, where would these deposits go?" She said, "They would probably be diverted to Denver or New

York." Then I asked her what the amount of business was there? Then I asked:

What is the cause of the diminution of the business there?

The reply was:

The Homestake Mining Co., which previously supplied a large part of the business to this office, gave it most of its business, is now sending its deposits directly to New York—

And so on.

Mr. LONDON. What deposits are referred to?

Mr. MADDEN. Deposits of ore—minerals.

Mr. RHODES. Will the gentleman yield?

Mr. MADDEN. I yield to the gentleman.

Mr. RHODES. I desire to ask the gentleman from Illinois whether or not the business done by the other mints showed any falling off during the past year as compared with former years? And I wish to supplement that question by asking, further, if it is not also a fact that there has been considerable inactivity in the mining business generally throughout the country during the past two or three years because of the general depression of business?

Mr. MADDEN. The Philadelphia Mint had 28,331 deposits; San Francisco, 23,449; Denver, 14,095; New York, 18,748; New Orleans, 456; Carson City, 241; Boise, 527; Helena, 357; Deadwood, 10; Seattle, 1,302; Salt Lake, 106. I do not know how the number compares with the previous year.

Mr. WILLIAMSON. Does not the gentleman recognize the fact that the value of an assay office is not to be measured necessarily by the number of deposits? They simply deposit the bullion for sale and purchase; but the fact of the matter is that the value of an assay office lies in the assays made.

The usefulness of the office is in making assays for prospectors and miners. They have made over 1,300 assays during the past year, and the income of the office is larger than that of any other office which was mentioned.

Mr. MADDEN. Oh, no.

Mr. WILLIAMSON. Larger than any other outside of Philadelphia.

Mr. MADDEN. I will say that the income has nothing to do with the value of the office.

Mr. WILLIAMSON. That is true.

Mr. MADDEN. My attitude toward this is not based on the income, because the Director of the Mint says the income has nothing whatever to do with the importance of the office, and he says the assay offices are not organized for the purpose of making revenue, but they are organized in order to accommodate the mining interests of the community, and that whatever assaying they do in the way of commercial work for which they charge is aside from the importance of the office.

Mr. WILLIAMSON. I do not think the deposits from bullion there for sale are of any importance at all. At least that has been my experience, and I have lived in a mining region most of my life.

Mr. MADDEN. I would not want to do any injustice to the people out there.

Mr. WILLIAMSON. The value of the office lies in the fact that it takes care of the small prospectors and miners.

Mr. MADDEN. If we have made any mistake I would be very sorry, because I do not want to injure the community.

Mr. TILSON. Is it not a fact that the deposits of bullion are small because of the provision that when the bullion is brought to the mint it may be coined and the amount of coin returned to the owner of the bullion?

Mr. WILLIAMSON. Yes; that is exactly why it has been diverted.

Mr. TILSON. Whereas if it was for sale it would have to be sold for its intrinsic value?

Mr. WILLIAMSON. Yes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota [Mr. WILLIAMSON].

The question being taken, on a division (demanded by Mr. WILLIAMSON) there were—ayes 9, noes 10.

Mr. WILLIAMSON. I call for tellers, Mr. Chairman.

The CHAIRMAN. The gentleman from South Dakota demands tellers.

Tellers were refused, not a sufficient number rising to second the demand.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Remodeling, etc., public buildings: For remodeling, enlarging, and extending completed and occupied public buildings, including any necessary and incidental additions to or changes in mechanical equipment thereof, so as to provide or make available additional space in emergent cases, not to exceed an aggregate of \$20,000 at any one building, \$375,000.



Mr. DEMPSEY. Mr. Chairman, I notice that the amount asked by the Treasury for this purpose was \$500,000 and that the amount was cut to \$375,000 by the Bureau of the Budget. The hearing is at page 576. The Chairman of the committee is very familiar, probably as familiar as anybody in the House or almost anybody in the United States, with the conditions in reference to this matter.

The post-office buildings of the United States were not built with a view to carrying on the parcel-post business. They were constructed before we took on the parcel-post business, and they are inadequate and have not sufficient space. It is estimated that a given number of feet should be allowed to each employee, but in almost all of the cities which have grown to any considerable extent the buildings have a very much smaller amount of space than is considered necessary for the health of the employees and for the proper dispatch of business. In the case of any city that has grown the parcel-post business to-day is larger than all of the other postal business combined and takes more space. It is not simply a question of lack of space, but the buildings were not constructed with reference to the doing of a parcel-post business. They have not the facilities of equipment to do the business efficiently. Some of the post offices with which I am familiar attempt to do their parcel-post business by bringing the parcels in and letting them down to the basement, then elevating them back to the first floor and doing the business piecemeal in that way, by several operations, where it could be done by one operation if it were possible to make the building adequate and proper for the transaction of the business.

Take the business at the city of Niagara Falls in my district. That city has grown within a very short time from 3,000 people to 60,000 people. The postal facilities are absolutely inadequate, and it is costing two or three times what it would cost to do the business if they could have an enlargement of the building. The Treasury Department has been promising us throughout the past year that they would enlarge the building and remodel it so that that business could be done expeditiously and economically, but we are not reached because they say that the appropriation is so small, and they have so many listed ahead of us that it is utterly impossible for them to do the remodeling which is absolutely necessary.

The same condition applies in a very much larger way in the city of Buffalo. The same condition applies in the city of Lockport.

Take another instance. In the city of Niagara Falls, which, as I say, has grown from 3,000 people to 60,000 people, we have a very large customhouse business. When the new post office was built we transferred the customhouse from the customhouse building to the post office.

The old customhouse building was discontinued, and now the post office is utterly unable to accommodate its own business, and much less can it furnish facilities for the transaction of the customhouse business. It is absolutely necessary that the old customhouse should be remodeled, and yet there are no funds with which to do it, and the Treasury Department says there are 40 buildings ahead of us and we can not hope to be reached until all of the prior demands have been met.

Take another instance in my own district. At Buffalo we have the old post office that was occupied before the new one was built. The old post office has not been used for many years. It could be utilized for the parcel-post business. The building itself, the new building, needs to be remodeled, and yet we are unable to get anything done. There are four instances of the need of remodeling and enlarging in one congressional district.

If the chairman of the Committee on Appropriations please, I want to be in accord with him on all of these matters as far as I can, but it does seem to me that the Government will save money, will save two or three dollars to each dollar of business done if the appropriation is made adequate so that the buildings may be remodeled and meet the parcel-post business which has sprung up and grown to such a splendid magnitude that it has become the most important branch of the post-office business.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. DEMPSEY. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. DEMPSEY. Mr. Chairman, it does seem to me that we should recognize the fact that these public buildings were constructed without any idea at all of the doing of this parcel-post business. The business has come into existence since they

were planned; they were planned only with reference to the business that existed at the time they were constructed. Now they are utterly inadequate for this greatly increased business.

Mr. TILSON. Will the gentleman yield?

Mr. DEMPSEY. I yield.

Mr. TILSON. Does not the gentleman see where that would land us? Instead of attempting to make over every post office, does not he think we ought to enter on a different policy and go to the center, the railroad center, to the union station if there is one, and there acquire quarters for the parcel-post business and separate it from the strictly postal matters. Would not that be a better policy than to enlarge all the post offices to accommodate the parcel-post business? If you started on a policy of enlarging all the post offices to accommodate the parcel-post business, there is no telling what the magnitude of this public building bill would be.

Mr. DEMPSEY. I appreciate the importance and the practical effect of the gentleman's suggestion, and I think we should do both. Take the two offices that I have already referred to, that of Niagara Falls and at Lockport, and I know from practical observation the business they are doing and how they are doing it. The increased business could be accommodated by a slight change costing \$20,000 or \$25,000. It would be unnecessary to go to the railroad and acquire new quarters and spend \$125,000 or \$150,000. On the other hand, take the city of Buffalo, which is partly in my district. There the gentleman's suggestion would be a proper suggestion and a thing that should be done. But because this should be done in the way the gentleman suggests in the large centers, we should not make it impossible to supply the great need of the small post offices in the small centers, which can be done, and that is contemplated by just the kind of appropriation that we now have under consideration. This appropriation was designed for the remodeling necessary in all the small places. It was designed for remodeling on a small scale in larger places also. But that would not answer in the large and congested centers. But because the increase of this appropriation would not answer every place in the United States, because it would not answer the largest cities, is no reason why we should not increase it to a reasonable amount, so that in the smaller centers, where it can be utilized and bring relief, the relief should be extended. As I say, if the gentleman has any small towns in his district where they absolutely need the relief, and if he has any small towns he will find they do need it, to remodel and increase the facilities and make it economical as well as expeditious in handling the parcel-post matters, he will find that he can not get it done now, and the only way to see that it is done is to have this appropriation greatly increased.

Mr. ROACH. Will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. ROACH. The same conditions relating to the larger post offices in the gentleman's district prevail in a large number of smaller post offices in my district.

Mr. DEMPSEY. It prevails in all the post offices of the United States where they do any considerable parcel-post business.

Mr. ROACH. That is true.

Mr. DEMPSEY. If the gentleman goes to the Treasury Department, he will find not only that the appropriation is inadequate but he will find that the appropriation is so small that they do not have enough draftsmen, they do not have enough architects, they do not have enough men to prepare the plans so that any adequate amount of work can be done in a given year.

Mr. Chairman, I send to the desk an amendment to page 48, line 11, to strike out "\$375,000" and insert "\$500,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. DEMPSEY: Page 48, line 11, strike out "\$375,000" and insert in lieu thereof "\$500,000."

Mr. STEVENSON. Mr. Chairman, I oppose the amendment. The gentleman from New York [Mr. DEMPSEY] desires to increase this fund in order to add to post offices which are already in existence where the people have had some measure of relief, whereas we are denied the opportunity to get any post-office buildings, at least up to this time and for many years, where we need them and have not any at all. In the town of Lancaster, for instance, in my district, provision was made for a post office in 1913. In 1915 they acquired the site, the appropriation having been made. It is there, a blank site to-day. In 1916 they undertook to get the building constructed and to let the contract. On account of the increased cost of everything, resultant from war conditions, the appropriation



lacked \$19,000 of being enough to get the post office constructed. Therefore they could not let the contract, because the lowest bid exceeded the appropriation. It has stood in that way up to this time. The Supervising Architect of the Treasury has recommended the appropriation of the \$19,000 necessary every time there has been a public building bill before the Public Building Committee, and it has been put in every bill reported by that committee, but no bill has been allowed to pass, and there are about 100 towns in the same fix as Lancaster. To now increase the appropriations for the extension of these buildings where they already have them is an injustice, and I am in favor of holding everybody down tight until the roseate promises of the gentleman from Kentucky [Mr. LANGLEY] a short time before election, that they were going to give all of us a public building, that there would be a post office in every primary town in the United States, are fulfilled to a certain extent, and some of us who have nothing will get something.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. CHINDBLOM. Does the gentleman know whether any effort has been made since 1916 to get a bid at Lancaster?

Mr. STEVENSON. Yes. They have asked for bids within the last 12 months, and still they do not get a bid that will come within the appropriation.

Mr. CHINDBLOM. But the cost is less now than then.

Mr. STEVENSON. That may be possible, but I do not think so. The Supervising Architect informs me, on the other hand, that things are swinging up instead of down.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. BLANTON. The people in the smaller cities, I take it, have ceased to expect the same kind of service and treatment that the people receive in the larger cities. In that connection let me call the attention of the gentleman to the fact that in his cities and in mine the Post Office Department will not deliver mail unless people put out boxes, but in the city of Washington the people get their mail whether they put up the boxes or not.

Mr. STEVENSON. I do not want to get off this subject, and that is the subject that these people who already have post offices, in so far as I am concerned, are going to have to get along with them as they are until some effort is made to give the people who have no post office and who have been promised one, and for which legislation has been enacted providing for them, the necessary appropriations to build them. I think it is high time that this committee should be sustained, and we should put every check we can on the increase of this appropriation and hold it down to the very limit of that repair which is necessary for the efficient administration of the affairs of the post office where it is absolutely necessary to do it.

Mr. MADDEN. Mr. Chairman, I do not intend to take up much time, but it would be folly, it seems to me, to make a larger appropriation than we propose for this work. In order to make an intelligent appropriation to cover the needs of the country we would have to make a very careful investigation. That investigation would require the time of a lot of experts. When we reported the parcel post act to the House I was a member of the committee who made the report, and I said then that if this activity were going to be entered upon by a private concern it would first provide the facilities, but inasmuch as it was going to be entered upon by the Government the Government would start the business first and then take its chances on the facilities later. The Government has been taking its chances on them for some time and has not gotten them yet. This appropriation here ought not to be increased at this time. To do the things that are required to be done throughout the country, such as those alluded to by the gentleman from New York [Mr. DEMPSEY], it would take \$10,000,000.

Mr. DEMPSEY. I think it would.

Mr. MADDEN. Ninety-eight buildings have been remodeled out of this appropriation during the last year.

Mr. BOX. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BOX. Does this involve the extension or enlargement of a building?

Mr. MADDEN. It would authorize them to enlarge or remodel.

Mr. BOX. Can that be done without legislative authorization?

Mr. MADDEN. This authority has existed for a long time, but it ought not to be made on any very extensive scale, and so we do not appropriate money except to do the urgent, needful thing, and anything other than the urgent, needful thing for the time being should be authorized by law.

Mr. BOX. Would it not be a possible thing under the system of appropriation such as this to carry forward an extensive line of building at larger places where—

Mr. MADDEN. It would not be justified.

Mr. BOX. But where it is possible.

Mr. MADDEN. Yes. In Amarillo, Tex., they built a mail shed that cost thirty-one hundred and odd dollars, and at Appleton, Wis., they built a mezzanine floor that cost \$1,817. That is the kind of work they do. At Atlanta they built a mezzanine floor and storehouse for \$2,856, and at Baltimore a mezzanine floor for \$1,198, and so forth, and new partitions to provide rooms for the courts—a few things like that. That is what this appropriation is intended to do.

Mr. BOX. There is legislative authority for it?

Mr. MADDEN. Yes; and it ought not to be extended beyond that.

Mr. STEVENSON. I see it is limited to \$20,000 in any one building.

Mr. MADDEN. Yes.

Mr. GARRETT of Tennessee. Can the gentleman add anything to the information which the gentleman from Kentucky [Mr. LANGLEY] gave us in the last session touching the passage of a public building bill?

Mr. MADDEN. The latest information I have on the subject is an interview purporting to have come from the President, in one of the newspapers, and it would seem from that interview that he is very much opposed to what the gentleman from Kentucky wants.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. DEMPSEY. I would say in answer to the gentleman from Texas [Mr. Box] that at Niagara Falls they propose to utilize what is now an open veranda, cover it in, and make it a room for the parcel-post business. That is an illustration of the kind of work they do.

And at Lockport they propose to fix up the basement so it will be a proper and adequate place in which to handle the parcel-post business.

Mr. BOX. What does the gentleman have in mind when he offers an amendment to enlarge and make additions?

Mr. DEMPSEY. It will not make additions on a larger scale, as the gentleman from Illinois well says. We would probably need at least \$10,000,000 to do this work. The amount suggested in the bill is \$375,000 and the amount asked for in the amendment is \$500,000, and it is simply a small addition, so that the crying needs, where the work is the most congested, where it is hardest for the post-office employees, where it is costing two or three dollars for everyone because of the inconvenience, things like that are proposed to be met.

Mr. MADDEN. I hope there will not be anything added to the committee recommendation.

Mr. DEMPSEY. It seems to me we ought to have a reasonable number here to vote on a question of this kind.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

Mr. KETCHAM. Mr. Chairman, I move to strike out the necessary number of words for the purpose of asking a question or two. There are two or three items here in which I am greatly interested. For instance, Brooklyn, N. Y., post office, extension of lookout system, \$15,000; Buffalo, N. Y., post office, for extension of lookout system, \$3,500; Philadelphia, Pa., and Pottsville, Pa., for extension of lookout system. From the gentleman's experience not only as a member of the Committee on Appropriations but from his long experience in connection with postal affairs I would just like a brief discussion—

Mr. MADDEN. A lookout system—

Mr. KETCHAM. I know what they are, but I wanted to know whether or not as a general policy he favors them.

Mr. MADDEN. In some of the buildings they have built mezzanine floors, some of those I referred to a few moments ago. In building mezzanine floors they shut the outlook away so that the inspector can not see the employees.

Mr. DEMPSEY. The employees can not see the inspector; it is just the other way.

Mr. MADDEN. No; they have shut out by the construction of the mezzanine floors all opportunity for the utilization of the lookouts.

Mr. DEMPSEY. I see what the gentleman had in mind.

Mr. MADDEN. Now they have to build lookouts, and it is very important.

Mr. KETCHAM. I understand, of course, the use of the lookout system; but what I wanted the gentleman's judgment upon was whether or not, in this day of advancement and en-



lightenment, as a general policy he thinks this ought to be inaugurated in public buildings; and whether or not they are absolutely essential as a part—

Mr. MADDEN. They only caught 56 people at one time who were stealing the mails.

Mr. KETCHAM. That is not the result of the lookout.

Mr. MADDEN. It was; 56 of them, and 50 pleaded guilty and signed a confession after they caught them, and that was only one case. You have got to have them.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. GREEN of Iowa. I think I know the circumstances to which the gentleman from Illinois refers, and I am quite satisfied if there had been the lookout system there it never would have happened. A number of young men who never before had been charged with any crime had got into loose ways and got to think that no attention was being paid to what they were doing, and they got into serious trouble, which, in my judgment, never would have happened if there had been lookouts there.

The CHAIRMAN. The pro forma amendment is withdrawn, and the question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Public buildings, repairs, equipment, and general expenses.

Mr. GARRETT of Tennessee. Mr. Chairman, I move to strike out the last word. The gentleman from Illinois does not expect to finish the bill to-night?

Mr. MADDEN. I want to finish the reading and have nothing left except the Bureau of Engraving and Printing.

Mr. GARRETT of Tennessee. Will there be anything else taken up to-morrow except this bill?

Mr. MADDEN. I do not know what the plans are.

Mr. GARRETT of Tennessee. I have no objection to running on.

Mr. MADDEN. If there is anything, it will be debate on the Departments of State and Justice bill.

Mr. GARRETT of Tennessee. There is no objection on my part.

The CHAIRMAN. Without objection the pro forma amendment will be withdrawn.

There was no objection.

The Clerk resumed and concluded the reading of the bill.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that where changes have been made by amendments the Clerk will be authorized to change the totals to conform therewith.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. MADDEN. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SANDERS of Indiana, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill H. R. 13180 had come to no resolution thereon.

#### CONSOLIDATING THE WORK OF COLLECTING STATISTICS, ETC.

Mr. GREEN of Iowa. Mr. Speaker, on last Monday we passed on the Unanimous Consent Calendar the bill S. 3295, an act to consolidate the work of collecting, compiling, and so forth, statistics of foreign commerce of the United States in the Department of Commerce.

Since then the House has been advised that the Senate has disagreed to the amendments of the House and asked for a conference. I ask unanimous consent that the bill may be taken from the Speaker's table, that the House insist on its amendments and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the bill be taken from the Speaker's table, that the House insist on its amendments and agree to the conference asked for by the Senate. Is there objection?

Mr. GARRETT of Tennessee. Reserving the right to object, Mr. Speaker, has the gentleman from Iowa conferred with the gentleman from Texas [Mr. GARNER] touching this matter?

Mr. GREEN of Iowa. Not with reference to this request, but I feel quite sure that he would have no objection.

Mr. GARRETT of Tennessee. I shall be very glad if the gentleman will withhold it until the morning.

Mr. GREEN of Iowa. Very well.

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present. No; I withdraw that.

#### LEAVE OF ABSENCE.

Mr. CULLEN, by unanimous consent, was granted leave of absence for an indefinite period, on account of sickness in his family.

#### EXTENSION OF REMARKS.

Mr. HILL. Mr. Speaker, I ask unanimous consent to extend my remarks on the amendments I offered to the bill.

Mr. GARRETT of Tennessee. Reserving the right to object, Mr. Speaker, is the gentleman going after the President?

Mr. KETCHAM. I object.

The SPEAKER. Objection is made.

#### ADJOURNMENT.

Mr. MADDEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 22 minutes p. m.) the House adjourned until to-morrow, Saturday, December 9, 1922, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

799. A letter from the Secretary of the Treasury, transmitting report of the Surgeon General of the Public Health Service for the fiscal year ended June 30, 1922; to the Committee on Interstate and Foreign Commerce.

800. A letter from the Comptroller General of the United States, transmitting a list of papers, documents, etc., now in the files of this office which are not needed in the transaction of public business; to the Committee on Disposition of Useless Executive Papers.

801. A letter from the Secretary of War, transmitting with a letter from the Chief of Engineers, report on preliminary examination and survey of channel from Old Point to Newport News, Va., with a view to securing increased width and depth (H. Doc. No. 486); to the Committee on Rivers and Harbors and ordered to be printed.

802. A communication from the President of the United States, transmitting, with a letter from the Director of the Bureau of the Budget, deficiency estimates of appropriations for the Post Office Department for the fiscal years 1921 and 1922, amounting in all to \$1,417,788.08 (H. Doc. No. 487); to the Committee on Appropriations and ordered to be printed.

803. A communication from the President of the United States, transmitting, with a letter from the Director of the Bureau of the Budget, a draft of proposed legislation extending and making available until December 31, 1923, the appropriation of \$150,000 contained in the first deficiency appropriation act, fiscal year 1922, approved December 15, 1921, for the prevention of loss of timber from infestations on public lands in Oregon and California (H. Doc. No. 488); to the Committee on Appropriations and ordered to be printed.

804. A communication from the President of the United States, transmitting, with a letter from the Director of the Bureau of the Budget, a supplemental estimate of appropriations for the Department of Commerce for the fiscal year ending June 30, 1923, for settlement of claims for damages in favor of certain steamship companies occasioned by collisions for which the vessels of the Lighthouse Service are responsible, payment of which is authorized under section 4 of the act of June 17, 1910 (36 Stat., 537), \$653.16 (H. Doc. No. 489); to the Committee on Appropriations and ordered to be printed.

805. A communication from the President of the United States, transmitting, with a letter from the Director of the Bureau of the Budget, a supplemental estimate of appropriation for the War Department for the fiscal year ending June 30, 1923, for the acquisition of real estate as authorized by the act approved September 22, 1922, \$769,000 (H. Doc. No. 490); to the Committee on Appropriations and ordered to be printed.

806. A communication from the President of the United States, transmitting, with a letter from the Director of the Bureau of the Budget, a supplemental estimate of appropriation for the fiscal year ending June 30, 1923, for the payment of the balance due on the award resulting from the condemnation by the Government of additional land for the National Zoological Park under the provisions of certain acts of Congress, \$3,096.34 (H. Doc. No. 491); to the Committee on Appropriations and ordered to be printed.

807. A communication from the President of the United States, transmitting, with a letter from the Director of the Bureau of the Budget, a supplemental estimate of appropriation for the legislative establishment of the United States for the fiscal year ending June 30, 1923, for improving the United States Botanic Garden, \$39,400 (H. Doc. No. 492); to the Committee on Appropriations and ordered to be printed.



## CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 11930) granting a pension to James J. Healy, and the same was referred to the Committee on Invalid Pensions.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. A. P. NELSON: A bill (H. R. 13268) to amend an act entitled "An act to provide further for the national security and defense, and for the purpose of assisting in the prosecution of the war; to provide credits for industries and enterprises in the United States necessary or contributory to the prosecution of the war; and to supervise the issuance of securities, and for other purposes," approved April 5, 1918, and for other purposes; to the Committee on Banking and Currency.

By Mr. WHITE of Kansas: A bill (H. R. 13269) to permit the admission into the United States of refugees from Turkish territories; to the Committee on Immigration and Naturalization.

By Mr. McSWAIN: A bill (H. R. 13270) to provide rural credits facilities, and for other purposes; to the Committee on Banking and Currency.

By Mr. BURTNESS: A bill (H. R. 13271) granting the consent of Congress to the State of North Dakota and the State of Minnesota, the county of Pembina, N. Dak., and the county of Kittson, Minn., or any one of them, to construct a bridge across the Red River of the North at or near the city of Pembina, N. Dak.; to the Committee on Interstate and Foreign Commerce.

By Mr. SEARS: A bill (H. R. 13272) granting a license to the city of Miami Beach, Fla., to construct a drain for sewage across certain Government lands; to the Committee on the Public Lands.

By Mr. HICKS: A resolution (H. Res. 463) for the immediate consideration of H. R. 13238, for the construction of additional aircraft for the Naval Establishment; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Indiana: A bill (H. R. 13273) granting a pension to Etta E. Divine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13274) granting a pension to John W. Thomas; to the Committee on Pensions.

Also, a bill (H. R. 13275) granting a pension to Rhoda M. Edmondson; to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 13276) granting a pension to William J. Harding; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13277) granting a pension to Lucretia Bernard; to the Committee on Invalid Pensions.

By Mr. LINEBERGER: A bill (H. R. 13278) granting a pension to Herman F. E. Schroer; to the Committee on Invalid Pensions.

By Mr. McKENZIE: A bill (H. R. 13279) granting a pension to Charles Howard Pinckney; to the Committee on Pensions.

By Mr. MAPES: A bill (H. R. 13280) granting a pension to Joseph D. Emerson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13281) granting an increase of pension to Julia Esther Hammond; to the Committee on Invalid Pensions.

By Mr. RICKETTS: A bill (H. R. 13282) granting a pension to Elizabeth Palmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13283) granting a pension to Jennie F. Cruise; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13284) granting a pension to Pearl Shepherd; to the Committee on Invalid Pensions.

By Mr. ROBSION: A bill (H. R. 13285) granting a pension to William M. Graham; to the Committee on Pensions.

By Mr. SPEAKS: A bill (H. R. 13286) granting a pension to George W. Bowman; to the Committee on Pensions.

Also, a bill (H. R. 13287) granting an increase of pension to William F. Gross; to the Committee on Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 13288) granting a pension to Lillie Butler; to the Committee on Pensions.

Also, a bill (H. R. 13289) granting a pension to James H. Buckner; to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 13290) granting a pension to Arthur R. Blakeslee; to the Committee on Invalid Pensions.

By Mr. VESTAL: A bill (H. R. 13291) granting an increase of pension to James R. Burroughs; to the Committee on Pensions.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6554. By Mr. KELLY of Pennsylvania: Petition of the American Indian Rights Association, of Philadelphia, Pa., protesting against the Bursum Indian land bill; to the Committee on Indian Affairs.

6555. Also, petition of the city council of Pittsburgh, Pa., asking for the regulation of the price of gasoline; to the Committee on Interstate and Foreign Commerce.

6556. By Mr. KISSEL: Petition of Religious Liberty Association, 239 citizens, of Brooklyn, N. Y., opposing the Sunday observance law; to the Committee on the District of Columbia.

6557. By Mr. OGDEN: Petition of J. Temple Robinson and others, of Louisville, Ky., favoring removal of the discriminatory tax on small-arms ammunition and firearms; to the Committee on Ways and Means.

## SENATE.

SATURDAY, December 9, 1922.

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, who art in heaven, hallowed be Thy name. May it be hallowed in our thoughts, in our speech, in our action. Grant unto us such a consciousness of duty that it may be with the realization of Thy presence and oversight in the performance of every act of service. And so help us, our Father, to live for Thee, for the best interests of our land, and to the glory of Thy name. Through Christ, our Lord. Amen.

FURNIFOLD M. SIMMONS, a Senator from the State of North Carolina, appeared in his seat to-day.

## NAMING A PRESIDING OFFICER.

The Secretary, George A. Sanderson, read the following communication:

UNITED STATES SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D. C., December 9, 1922.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. GEORGE H. MOSES, a Senator from the State of New Hampshire, to perform the duties of the Chair this legislative day.

ALBERT B. CUMMINS,  
President pro tempore.

Mr. MOSES thereupon took the chair as Presiding Officer.

The reading clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

## CREDENTIALS OF SENATOR LODGE.

Mr. WALSH of Massachusetts. I present a communication from the Governor of the Commonwealth of Massachusetts, certifying to the election of HENRY CABOT LODGE as a Senator of the United States for the term beginning March 4, 1923.

The PRESIDING OFFICER. The credentials will be received and placed on file.

The credentials were ordered to be filed, as follows:

## THE COMMONWEALTH OF MASSACHUSETTS.

To the President of the Senate of the United States, Greeting:

This is to certify that on the 7th day of November, in the year of our Lord 1922, HENRY CABOT LODGE was duly chosen by the qualified voters of said Commonwealth a Senator, to represent said Commonwealth of Massachusetts in the Senate of the United States for the term of six years commencing on the 4th day of March, A. D., 1923. Witness, his excellency, Channing H. Cox, our governor, and our great seal, hereunto affixed, at Boston, this 6th day of December, in the year of our Lord 1922, and of the independence of the United States of America the one hundred and forty-seventh.

[SEAL.]

CHANNING H. COX, Governor.

By his excellency, the Governor:

F. W. COOK,  
Secretary of the Commonwealth.

## REPORT OF DIRECTOR UNITED STATES VETERANS' BUREAU.

The PRESIDING OFFICER laid before the Senate a communication from the Director of the United States Veterans' Bureau, transmitting, pursuant to law, the annual report of the Director of the United States Veterans' Bureau for the fiscal year ended June 30, 1922, which was referred to the Committee on Finance.